

Title 308 WAC

LICENSING, DEPARTMENT OF

(Formerly: Motor Vehicles, Dept. of and Licenses, Dept. of)

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DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 308-16 BARBERS, BARBER SHOPS, AND BARBER COLLEGES

308-16-010	Limitations on practice. [Order 1 (part), filed 2/7/68; Rule 15, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208. Later promulgation, see chapter 308-20 WAC.
308-16-020	Barber shops—Use of premises. [Order 1 (part), filed 2/7/68; Rule 1, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-030	Barber shops—Water supply. [Rule 3, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-040	Barber shops—Discharge of waste water. [Rule 4, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-050	Barber shops—Lighting fixtures. [Rule 6, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-060	Barber shops—Ventilation. [Rule 7, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-070	Barber shops—Receptacle for soiled towels. [Rule 10, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-080	Barber shops—Waste receptacles. [Rule 11, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-090	Barber shops—Supervision and license. [Order 1 (part), filed 2/7/68; Rule 17, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-100	Barber shops—Posting of license. [Rule 16, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.

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308-16-110	Barber shops—General sanitation. [Rule 2, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-16-218	Applications for examination. [Statutory Authority: RCW 18.15.056. 81-03-015 (Order PL 365), § 308-16-218, filed 1/9/81.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-120	Barber shops—Sanitation of walls, furniture and fixtures. [Rule 5, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-16-220	Renewal of permits. [Order PL 203, § 308-16-220, filed 11/5/75; Order PL-147, § 308-16-220, filed 8/14/73; Order 1 (part), filed 2/7/68; Rule 21, filed 12/22/64; 8/13/63.] Repealed by 83-15-013 (Order PL 439), filed 7/12/83. Statutory Authority: RCW 18.15.056.
308-16-130	Barber shops—Cabinets. [Rule 8, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-16-230	Revocation of permits. [Rule 23, filed 12/22/64.] Repealed by Order 1, filed 2/7/68.]
308-16-140	Barber shops—Sterilization of tools and implements. [Rule 9, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-16-240	Brush-up courses. [Statutory Authority: RCW 18.15.056. 83-15-013 (Order PL 439), § 308-16-240, filed 7/12/83; Order 1 (part), filed 2/7/68.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-150	Barber shops—Health of personnel. [Rule 12, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-16-250	Instructor examinations. [Order 1 (part), filed 2/7/68.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-160	Barber shops—Cleanliness of personnel. [Order PL-104, § 308-16-160, filed 8/3/71; Order 1 (part), filed 2/7/68; Rule 14, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-16-260	Theory classes. [Order 7, § 308-16-260, filed 9/9/68.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-170	Restricted services. [Order 1 (part), filed 2/7/68; Rule 13, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-16-270	Minimum weekly theory hours. [Order 7, § 308-16-270, filed 9/9/68.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-180	Use of certain materials restricted. [Rule 18, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-16-280	Waivers, maximum and minimum months of attendance. [Order 7, § 308-16-280, filed 9/9/68.] Repealed by 83-15-013 (Order PL 439), filed 7/12/83. Statutory Authority: RCW 18.15.056.
308-16-190	Inspection. [Rule 20, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-16-290	Finishing services by instructors. [Order 7, § 308-16-290, filed 9/9/68.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-200	Barber colleges—Hours. [Order 7, § 308-16-200, filed 9/9/68; Rule 19, filed 3/23/60.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-16-300	Defining "use" of instructor's license. [Order 7, § 308-16-300, filed 9/9/68.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-205	Required haircut for performance examination. [Statutory Authority: RCW 18.15.056. 83-15-013 (Order PL 439), § 308-16-205, filed 7/12/83.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-16-310	Demonstrations and short courses. [Statutory Authority: RCW 18.15.056. 83-15-013 (Order PL 439), § 308-16-310, filed 7/12/83; Order PL-147, § 308-16-310, filed 8/14/73; Order 7, § 308-16-310, filed 9/9/68.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-210	Examinations. [Rule 22, filed 12/4/63.] Repealed by Order 1, filed 2/7/68.	308-16-320	Time for applications. [Order 12, § 308-16-320, filed 9/12/68.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-21001	Required haircut for performance examination. [Order PL 193, § 308-16-210 (codified as WAC 308-16-21001), filed 6/12/75.] Repealed by 83-15-013 (Order PL 439), filed 7/12/83. Statutory Authority: RCW 18.15.-056.	308-16-350	Textbook(s) used for barber examination. [Statutory Authority: RCW 18.15.110 and 18.15.240. 80-02-079 (Order PL 333), § 308-16-350, filed 1/18/80; Order PL-147, § 308-16-350, filed 8/14/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-211	Scoring for practical examination—Permit. [Statutory Authority: RCW 18.15.056. 81-03-015 (Order PL 365), § 308-16-211, filed 1/9/81; Order PL 193, § 308-16-211, filed 6/12/75.] Repealed by 83-15-013 (Order PL 439), filed 7/12/83. Statutory Authority: RCW 18.15.-056.	308-16-360	Examination for men's hairstyling certificate. [Order PL-154, § 308-16-360, filed 12/10/73; Order PL-147, § 308-16-360, filed 8/14/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-212	Scoring for practical examination—Journeyman. [Statutory Authority: RCW 18.15.056. 81-03-015 (Order PL 365), § 308-16-212, filed 1/9/81; Order PL 193, § 308-16-212, filed 6/12/75.] Repealed by 83-15-013 (Order PL 439), filed 7/12/83. Statutory Authority: RCW 18.15.056.	308-16-370	Permit barber training. [Order PL-154, § 308-16-370, filed 12/10/73.] Repealed by 83-15-013 (Order PL 439), filed 7/12/83. Statutory Authority: RCW 18.15.056.
308-16-213	Practical examination—Length of examination. [Statutory Authority: RCW 18.15.056. 83-15-013 (Order PL 439), § 308-16-213, filed 7/12/83; Order PL 193, § 308-16-213, filed 6/12/75.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-16-380	Definition of the words "chemical" or "chemicals." [Order PL-154, § 308-16-380, filed 12/10/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-214	Scoring for practical examination—Barber. [Statutory Authority: RCW 18.15.056. 83-15-013 (Order PL 439), § 308-16-214, filed 7/12/83.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-16-390	Barber student curriculum. [Order PL 172, § 308-16-390, filed 6/20/74; Order PL 160, § 308-16-390, filed 2/21/74.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-215	Reexaminations. [Statutory Authority: RCW 18.15.056. 81-03-015 (Order PL 365), § 308-16-215, filed 1/9/81; Order 12, § 308-16-215, filed 9/12/68.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-16-400	Men's hairstyling curriculum, instructors and schools. [Order 283, § 308-16-400, filed 12/29/77; Order PL 160, § 308-16-400, filed 2/21/74.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-16-216	Partial written reexaminations. [Statutory Authority: RCW 18.15.056. 81-03-015 (Order PL 365), § 308-16-216, filed 1/9/81; Order 14, § 308-16-216, filed 3/14/69.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-16-410	License renewal fee. [Order PL 163, § 308-16-410, filed 3/18/74.] Repealed by Order PL 203, filed 11/5/75. Later promulgation, see WAC 308-16-420.
308-16-217	Permittees—Partial examination. [Statutory Authority: RCW 18.15.056. 81-03-015 (Order PL 365), § 308-16-217, filed 1/9/81; Order 14, § 308-16-217, filed 3/14/69.] Repealed by 83-15-013 (Order PL 439), filed 7/12/83. Statutory Authority: RCW 18.15.056.	308-16-420	Barber—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-16-420, filed 9/25/80; Order PL 203, § 308-16-420, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-16-500.
		308-16-430	Renewal of licenses. [Order PL 262, § 308-16-430, filed 1/13/77.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.

308-16-440	Catalog or brochure. [Statutory Authority: RCW 18.15.056 and 18.15.090. 82-08-064 (Order PL 394), § 308-16-440, filed 4/7/82.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	
308-16-450	Minimum cancellation and refund policy. [Statutory Authority: RCW 18.15.056 and 18.15.090. 82-08-064 (Order PL 394), § 308-16-450, filed 4/7/82.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	
308-16-460	Enrollment agreement (contract) checklist. [Statutory Authority: RCW 18.15.056 and 18.15.090. 82-08-064 (Order PL 394), § 308-16-460, filed 4/7/82.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	
308-16-470	Bonding. [Statutory Authority: RCW 18.15.056 and 18.15.090. 82-08-064 (Order PL 394), § 308-16-470, filed 4/7/82.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	
308-16-500	Fees. [Statutory Authority: 1983 c 168 § 12. 83-22-060 (Order PL 446), § 308-16-500, filed 11/2/83; 83-17-031 (Order PL 442), § 308-16-500, filed 8/10/83. Formerly WAC 308-16-420.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	
Chapter 308-21		
ATHLETE AGENT REGISTRATION		
308-21-010	Definitions. [Statutory Authority: RCW 18.175.050 and 43.24.086. 92-20-017, § 308-21-010, filed 9/25/92, effective 10/26/92.] Repealed by 99-14-035, filed 6/29/99, effective 7/1/99. Statutory Authority: Chapter 18.175 RCW.	
308-21-100	Certificate of registration. [Statutory Authority: RCW 18.175.050 and 43.24.086. 92-20-017, § 308-21-100, filed 9/25/92, effective 10/26/92.] Repealed by 99-14-035, filed 6/29/99, effective 7/1/99. Statutory Authority: Chapter 18.175 RCW.	
308-21-200	Application. [Statutory Authority: RCW 18.175.050 and 43.24.086. 92-20-017, § 308-21-200, filed 9/25/92, effective 10/26/92.] Repealed by 99-14-035, filed 6/29/99, effective 7/1/99. Statutory Authority: Chapter 18.175 RCW.	
308-21-300	Registration renewal—Penalties. [Statutory Authority: RCW 18.175.050 and 43.24.086. 92-20-017, § 308-21-300, filed 9/25/92, effective 10/26/92.] Repealed by 99-14-035, filed 6/29/99, effective 7/1/99. Statutory Authority: Chapter 18.175 RCW.	
308-21-400	Disclosure statement. [Statutory Authority: RCW 18.175.050 and 43.24.086. 92-20-017, § 308-21-400, filed 9/25/92, effective 10/26/92.] Repealed by 99-14-035, filed 6/29/99, effective 7/1/99. Statutory Authority: Chapter 18.175 RCW.	
308-21-500	Public viewing of disclosure statement. [Statutory Authority: RCW 18.175.050 and 43.24.086. 92-20-017, § 308-21-500, filed 9/25/92, effective 10/26/92.] Repealed by 99-14-035, filed 6/29/99, effective 7/1/99. Statutory Authority: Chapter 18.175 RCW.	
308-21-600	Fees. [Statutory Authority: RCW 18.175.050 and 43.24.086. 92-20-017, § 308-21-600, filed 9/25/92, effective 10/26/92.] Repealed by 99-14-035, filed 6/29/99, effective 7/1/99. Statutory Authority: Chapter 18.175 RCW.	
Chapter 308-24		
BEAUTY CULTURE		
308-24-005	Definitions. [Order PL 105, § 308-24-005, filed 2/11/71.] Repealed by Order PL 152, filed 10/11/73.	
308-24-010	Licensing out-of-state applicants—Equivalency. [Rules (part), filed 3/23/60.] Repealed by Order PL 105, filed 2/11/71.	
308-24-020	Licensing out-of-state applicants—Temporary permits are not granted. [Rules (part), filed 3/23/60.] Repealed by Order PL 152, filed 10/11/73.	
308-24-030	Licensing out-of-state applicants—With two years experience. [Order PL 105, § 308-24-030, filed 2/11/71; Rules (part), filed 3/23/60.] Repealed by Order PL 152, filed 10/11/73.	
308-24-040	Licensing out-of-state applicants—With less than two years experience. [Order PL 105, § 308-24-040, filed 2/11/71; Rules (part), filed 3/23/60.] Repealed by Order PL 152, filed 10/11/73.	
308-24-050	Licensing of foreign beauticians. [Order PL 105, § 308-24-050, filed 2/11/71; Rules, filed 6/14/66; Rules (part),	filed 3/23/60.] Repealed by Order PL 152, filed 10/11/73.
308-24-100	Posting of rules, licenses and inspection reports. [Order PL 105, § 308-24-100, filed 2/11/71; Rules (part), filed 3/23/60.] Repealed by Order PL 152, filed 10/11/73.	
308-24-110	Inspections. [Order PL 105, § 308-24-110, filed 2/11/71; Rules (part), filed 3/23/60.] Repealed by Order PL 152, filed 10/11/73.	
308-24-120	Standard requirements for maintenance and operation. [Order PL 105, § 308-24-120, filed 2/11/71; § 308-24-120, filed 7/20/67; Rules (part), filed 3/23/60.] Repealed by Order PL 152, filed 10/11/73.	
308-24-130	Disinfection and sanitization of implements. [Rules (part), filed 3/23/60.] Repealed by Order PL 152, filed 10/11/73.	
308-24-140	Operator and employees. [Order PL 105, § 308-24-140, filed 2/11/71; § 308-24-140, filed 7/20/67; Rules (part), filed 3/23/60.] Repealed by Order PL 152, filed 10/11/73.	
308-24-150	Badges for certain students. [Regulation, filed 7/8/66.] Repealed by Order PL 152, filed 10/11/73.	
308-24-160	Forfeiture of examination fee. [Order 3, filed 4/18/68.] Repealed by Order PL 105, filed 2/11/71. Later promulgation, see WAC 308-24-180.	
308-24-170	Equivalent high school education. [Order PL 105, § 308-24-170, filed 2/11/71.] Repealed by Order PL 152, filed 10/11/73.	
308-24-180	Applications, examinations and renewals. [Order PL 105, § 308-24-180, filed 2/11/71; WAC 308-24-160 (part).] Repealed by Order PL 152, filed 10/11/73.	
308-24-190	Trainee students. [Order PL 105, § 308-24-190, filed 2/11/71.] Repealed by Order PL 152, filed 10/11/73.	
308-24-200	Recording student hours. [Order PL 105, § 308-24-200, filed 2/11/71.] Repealed by Order PL 152, filed 10/11/73.	
308-24-210	Post graduate training for instructors. [Order PL 105, § 308-24-210, filed 2/11/71.] Repealed by Order PL 152, filed 10/11/73.	
308-24-220	School equipment and facilities. [Order PL 105, § 308-24-220, filed 2/11/71.] Repealed by Order PL 152, filed 10/11/73.	
308-24-300	Definitions. [Statutory Authority: RCW 18.18.020. 82-21-036 (Order PL 409), § 308-24-300, filed 10/15/82; 79-12-001 (Order P.L. 319), § 308-24-300, filed 11/8/79; Order PL 279, § 308-24-300, filed 12/19/77; Order PL 152, § 308-24-300, filed 10/11/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208. Later promulgation, see chapter 308-20 WAC.	
308-24-305	Demonstrations and contests. [Statutory Authority: RCW 18.18.020. 81-03-016 (Order PL 366), § 308-24-305, filed 1/9/81; Order PL 279, § 308-24-305, filed 12/19/77.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	
308-24-310	Trainee students. [Statutory Authority: RCW 18.18.020. 79-12-001 (Order PL 319), § 308-24-310, filed 11/8/79; Order PL 152, § 308-24-310, filed 10/11/73.] Repealed by 82-21-036 (Order PL 409), filed 10/15/82. Statutory Authority: RCW 18.18.020.	
308-24-315	Equivalent high school education. [Order PL 152, § 308-24-315, filed 10/11/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	
308-24-320	Recording student hours. [Statutory Authority: RCW 18.18.020. 82-21-036 (Order PL 409), § 308-24-320, filed 10/15/82; 81-03-016 (Order PL 366), § 308-24-320, filed 1/9/81; Order PL 279, § 308-24-320, filed 12/19/77; Order PL 152, § 308-24-320, filed 10/11/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	
308-24-330	Credit allowed on transfer of training. [Statutory Authority: RCW 18.18.020. 82-21-036 (Order PL 409), § 308-24-330, filed 10/15/82; Order PL 152, § 308-24-330, filed 10/11/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	
308-24-335	State correctional institutions. [Statutory Authority: RCW 18.18.020. 79-02-012 (Order PL-298), § 308-24-335, filed 1/11/79.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	
308-24-340	Student restrictions. [Statutory Authority: RCW 18.18.020. 82-21-036 (Order PL 409), § 308-24-340, filed 10/15/82; Order PL 279, § 308-24-340, filed 12/19/77; Order PL 152, § 308-24-340, filed 10/11/73.]	

	Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.		Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-24-345	Curriculum for cadet instructors. [Statutory Authority: RCW 18.18.020. 82-21-036 (Order PL 409), § 308-24-345, filed 10/15/82.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-24-440	Licensees and employees. [Statutory Authority: RCW 18.18.020. 79-12-001 (Order PL 319), § 308-24-440, filed 11/8/79; Order PL 279, § 308-24-440, filed 12/19/77; Order PL 152, § 308-24-440, filed 10/11/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-24-350	Eligibility requirements for licensing as a manicurist. [Order PL 279, § 308-24-350, filed 12/19/77; Order PL 152, § 308-24-350, filed 10/11/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-24-450	School equipment and facilities. [Order PL 152, § 308-24-450, filed 10/11/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-24-355	Curriculum for cosmetology operator course of instruction. [Order PL 279, § 308-24-355, filed 12/19/77.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-24-460	Posting of rules, licenses and inspection reports. [Statutory Authority: RCW 18.18.020. 79-12-001 (Order PL 319), § 308-24-460, filed 11/8/79; Order PL 152, § 308-24-460, filed 10/11/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-24-360	Curriculum for manicurist course of instruction. [Order PL 152, § 308-24-360, filed 10/11/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-24-470	Inspections. [Statutory Authority: RCW 18.18.020. 79-12-001 (Order PL 319), § 308-24-470, filed 11/8/79; Order PL 279, § 308-24-470, filed 12/19/77; Order PL 152, § 308-24-470, filed 10/11/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-24-370	Application and examinations. [Statutory Authority: RCW 18.18.020. 82-21-036 (Order PL 409), § 308-24-370, filed 10/15/82; 79-12-001 (Order P.L. 319), § 308-24-370, filed 11/8/79; Order PL 279, § 308-24-370, filed 12/19/77; Order PL 152, § 308-24-370, filed 10/11/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-24-480	License renewal fee. [Order PL 163, § 308-24-480, filed 3/18/74.] Repealed by Order PL 212, filed 11/5/75. Later promulgation, see WAC 308-24-490.
308-24-380	Examination for licensing. [Order PL 279, § 308-24-380, filed 12/19/77; Order PL 212, § 308-24-380, filed 11/5/75; Order PL 152, § 308-24-380, filed 10/11/73.] Repealed by 81-09-031 (Order PL 376), filed 4/13/81. Statutory Authority: RCW 18.18.020.	308-24-485	Fees. [Statutory Authority: 1983 c 168 § 12. 83-22-060 (Order PL 446), § 308-24-485, filed 11/2/83; 83-17-031 (Order PL 442), § 308-24-485, filed 8/10/83. Formerly WAC 308-24-490.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-24-382	Examination for licensing. [Statutory Authority: RCW 18.18.020. 81-09-031 (Order PL 376), § 308-24-382, filed 4/13/81.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-24-490	Cosmetology—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-24-490, filed 9/25/80. Statutory Authority: RCW 18.18.020. 79-12-001 (Order PL 319), § 308-24-490, filed 11/8/79; Order PL 212, § 308-24-490, filed 11/5/75. Formerly WAC 308-24-480(part).] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-24-485.
308-24-384	Scope of examinations. [Statutory Authority: RCW 18.18.020. 82-21-036 (Order PL 409), § 308-24-384, filed 10/15/82; 81-09-031 (Order PL 376), § 308-24-384, filed 4/13/81.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-24-500	Renewal of licenses. [Order PL 262, § 308-24-500, filed 1/13/77.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-24-390	Time limitation for licensing. [Order PL 152, § 308-24-390, filed 10/11/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-24-510	Catalog or brochure. [Statutory Authority: RCW 18.18.020 and 18.18.070. 82-08-063 (Order PL 395), § 308-24-510, filed 4/7/82.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-24-395	Instructor examination for licensing. [Statutory Authority: RCW 18.18.020. 82-21-036 (Order PL 409), § 308-24-395, filed 10/15/82.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-24-520	Minimum cancellation and refund policy. [Statutory Authority: RCW 18.18.020 and 18.18.070. 82-08-063 (Order PL 395), § 308-24-520, filed 4/7/82.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-24-400	Licensing out-of-state applicants—Temporary permits are not granted. [Order PL 152, § 308-24-400, filed 10/11/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-24-530	Enrollment agreement (contract) checklist. [Statutory Authority: RCW 18.18.020 and 18.18.070. 82-08-063 (Order PL 395), § 308-24-530, filed 4/7/82.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-24-403	Licensing out-of-state applicants without examination. [Statutory Authority: RCW 18.18.020. 81-03-016 (Order PL 366), § 308-24-403, filed 1/9/81; 79-12-001 (Order PL 319), § 308-24-403, filed 11/8/79; Order PL 279, § 308-24-403, filed 12/19/77.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	308-24-540	Bonding. [Statutory Authority: RCW 18.18.020 and 18.18.070. 82-08-063 (Order PL 395), § 308-24-540, filed 4/7/82.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.
308-24-404	Licensing out-of-state applicants with examination. [Statutory Authority: RCW 18.18.020. 81-03-016 (Order PL 366), § 308-24-404, filed 1/9/81; Order PL 279, § 308-24-404, filed 12/19/77.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.	Chapter 308-25 DENTAL HYGIENISTS	
308-24-405	Licensing out-of-state applicants—With two years experience. [Order PL 152, § 308-24-405, filed 10/11/73.] Repealed by Order PL 279, filed 12/19/77.	308-25-010	Application for examination. [Statutory Authority: RCW 43.24.020 and 43.24.024. 82-11-068 (Order PL 398), § 308-25-010, filed 5/14/82; 82-06-043 (Order 672), § 308-25-010, filed 3/2/82.] Repealed by 90-23-011 (Order 098), filed 11/13/90, effective 12/14/90. Statutory Authority: Chapter 18.29 RCW, RCW 18.29.021, [18.29.]045 and [18.29.]130.
308-24-410	Licensing out-of-state applicants—With less than two years experience. [Order PL 152, § 308-24-410, filed 10/11/73.] Repealed by Order PL 279, filed 12/19/77.	308-25-011	Dental hygiene examination eligibility. [Statutory Authority: Chapter 18.29 RCW, RCW 18.29.021, [18.29.]045 and [18.29.]130. 90-23-011 (Order 098), § 308-25-011, filed 11/13/90, effective 12/14/90.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-020.
308-24-415	Licensing of foreign applicants. [Order PL 152, § 308-24-415, filed 10/11/73.] Repealed by Order PL 279, filed 12/19/77.	308-25-013	Education requirements for licensure applicants. [Statutory Authority: Chapter 18.29 RCW, RCW 18.29.021, [18.29.]045 and [18.29.]130. 90-23-011 (Order 098), § 308-25-013, filed 11/13/90, effective 12/14/90.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-030.
308-24-420	Post graduate training for instructors. [Order PL 279, § 308-24-420, filed 12/19/77; Order PL 152, § 308-24-420, filed 10/11/73.] Repealed by 84-19-020 (Order PL 480), filed 9/12/84. Statutory Authority: 1984 c 208.		
308-24-430	Standard requirements for maintenance and operation of licensed shops or schools. [Statutory Authority: RCW 18.18.020. 81-03-016 (Order PL 366), § 308-24-430, filed 1/9/81; 79-12-001 (Order PL 319), § 308-24-430, filed 11/8/79; Order PL 279, § 308-24-430, filed 12/19/77; Order PL 152, § 308-24-430, filed 10/11/73.]		

308-25-015	Examination. [Statutory Authority: Chapter 18.29 RCW, RCW 18.29.021, [18.29.]045 and [18.29.]130. 90-23-011 (Order 098), § 308-25-015, filed 11/13/90, effective 12/14/90. Statutory Authority: RCW 18.29.031. 86-09-014 (Order PL 585), § 308-25-015, filed 4/7/86.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-050.	308-25-070	Dismissal from examination. [Statutory Authority: RCW 18.29.031. 84-04-088 (Order PL 459), § 308-25-070, filed 2/1/84. Statutory Authority: RCW 43.24.020 and 43.24.024. 82-06-043 (Order 672), § 308-25-070, filed 3/2/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-060.
308-25-020	The examination. [Statutory Authority: RCW 43.24.020 and 43.24.024. 83-07-051 (Order PL 430), § 308-25-020, filed 3/18/83; 82-11-068 (Order PL 398), § 308-25-020, filed 5/14/82; 82-06-043 (Order 672), § 308-25-020, filed 3/2/82.] Repealed by 84-04-088 (Order PL 459), filed 2/1/84. Statutory Authority: RCW 18.29.031.	308-25-072	Application procedures for approval of dental hygiene expanded functions education programs. [Statutory Authority: Chapter 18.29 RCW, RCW 18.29.021, [18.29.]045 and [18.29.]130. 90-23-011 (Order 098), § 308-25-072, filed 11/13/90, effective 12/14/90.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-110.
308-25-025	The examination. [Statutory Authority: RCW 18.29.-031. 84-10-063 (Order PL 466), § 308-25-025, filed 5/2/84; 84-04-088 (Order PL 459), § 308-25-025, filed 2/1/84.] Repealed by 86-09-014 (Order PL 585), filed 4/7/86. Statutory Authority: RCW 18.29.031.	308-25-073	Standards required for approval of dental hygiene expanded functions education programs. [Statutory Authority: Chapter 18.29 RCW, RCW 18.29.021, [18.29.]045 and [18.29.]130. 90-23-011 (Order 098), § 308-25-073, filed 11/13/90, effective 12/14/90.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-120.
308-25-030	Examination results. [Statutory Authority: RCW 18.29.031. 85-10-026 (Order PL 528), § 308-25-030, filed 4/24/85; 84-04-088 (Order PL 459), § 308-25-030, filed 2/1/84. Statutory Authority: RCW 43.24.020 and 43.24.024. 82-11-068 (Order PL 398), § 308-25-030, filed 5/14/82; 82-06-043 (Order 672), § 308-25-030, filed 3/2/82.] Repealed by 86-09-014 (Order PL 585), filed 4/7/86. Statutory Authority: RCW 18.29.031.	308-25-074	Curriculum requirements for expanded functions dental hygiene education programs approval. [Statutory Authority: Chapter 18.29 RCW, RCW 18.29.021, [18.29.]045 and [18.29.]130. 90-23-011 (Order 098), § 308-25-074, filed 11/13/90, effective 12/14/90.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-130.
308-25-035	Examination results. [Statutory Authority: Chapter 18.29 RCW, RCW 18.29.021, [18.29.]045 and [18.29.]130. 90-23-011 (Order 098), § 308-25-035, filed 11/13/90, effective 12/14/90. Statutory Authority: RCW 18.29.031. 86-09-014 (Order PL 585), § 308-25-035, filed 4/7/86.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-070.	308-25-080	General provisions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-25-080, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-170.
308-25-037	Written examination review procedures. [Statutory Authority: RCW 18.29.120(5). 90-12-068 (Order 064), § 308-25-037, filed 6/1/90, effective 7/2/90.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-080.	308-25-090	Mandatory reporting. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-25-090, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-180.
308-25-038	Practical examination review procedures. [Statutory Authority: RCW 18.29.120(5). 90-12-068 (Order 064), § 308-25-038, filed 6/1/90, effective 7/2/90.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-090.	308-25-100	Health care institutions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-25-100, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-190.
308-25-040	Examination review procedures. [Statutory Authority: RCW 43.24.020 and 43.24.024. 82-11-068 (Order PL 398), § 308-25-040, filed 5/14/82; 82-06-043 (Order 672), § 308-25-040, filed 3/2/82.] Repealed by 84-04-088 (Order PL 459), filed 2/1/84. Statutory Authority: RCW 18.29.031.	308-25-110	Dental hygienist associations or societies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-25-110, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-200.
308-25-041	Licensure by interstate endorsement of credentials. [Statutory Authority: Chapter 18.29 RCW, RCW 18.29.021, [18.29.]045 and [18.29.]130. 90-23-011 (Order 098), § 308-25-041, filed 11/13/90, effective 12/14/90.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-100.	308-25-120	Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-25-120, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-210.
308-25-050	Renewal of licenses. [Statutory Authority: RCW 43.24.020 and 43.24.024. 82-06-043 (Order 672), § 308-25-050, filed 3/2/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-150.	308-25-130	Professional liability carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-25-130, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-220.
308-25-060	Dental hygienist—Fees. [Statutory Authority: RCW 43.24.020 and 43.24.024. 82-06-043 (Order 672), § 308-25-060, filed 3/2/82.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-25-065.	308-25-140	Courts. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-25-140, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-230.
308-25-065	Dental hygiene fees. [Statutory Authority: RCW 43.70.250. 90-04-094 (Order 029), § 308-25-065, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086. 87-10-028 (Order PM 650), § 308-25-065, filed 5/1/87. Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-25-065, filed 8/10/83. Formerly WAC 308-25-060.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-990.	308-25-150	State and federal agencies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-25-150, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-240.
		308-25-160	Cooperation with investigation. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-25-160, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-250.
		308-25-170	Standards of dental hygiene conduct or practice. [Statutory Authority: RCW 18.29.076 and 18.130.050(12). 89-16-096 (Order PM 858), § 308-25-170, filed 8/2/89, effective 9/2/89.] Decodified by 91-02-049 (Order 121),

	filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-160.		
308-25-180	Continuing education for dental hygienists. [Statutory Authority: Chapter 18.29 RCW, RCW 18.29.021, [18.29.]045 and [18.29.]130. 90-23-011 (Order 098), § 308-25-180, filed 11/13/90, effective 12/14/90.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-140.	308-26-020	Fees. [Statutory Authority: RCW 18.34.070. 82-21-035 (Order PL 408), § 308-26-020, filed 10/15/82; Order PL 220, § 308-26-020, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-26-040.
308-25-200	Uniform Disciplinary Act. [Statutory Authority: 1984 c 279 § 29. 84-21-090 (Order PL 483), § 308-25-200, filed 10/19/84, effective 8/1/85.] Repealed by 85-19-039 (Order PL 552), filed 9/12/85. Statutory Authority: RCW 18.29.075.	308-26-025	Examination appeal procedures. [Statutory Authority: RCW 43.24.060. 87-22-019 (Order PM 688), § 308-26-025, filed 10/27/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-070.
308-25-290	Intent. [Statutory Authority: RCW 18.130.175 and 18.32.534. 90-16-099 (Order 076), § 308-25-290, filed 8/1/90, effective 9/1/90.] Decodified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-501.	308-26-030	Uniform Disciplinary Act. [Statutory Authority: 1984 c 279 § 32. 84-21-093 (Order PL 486), § 308-26-030, filed 10/19/84, effective 8/1/85.] Repealed by 85-19-040 (Order PL 555), filed 9/12/85. Statutory Authority: RCW 18.34.135.
308-25-300	AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 88-22-077 (Order PM 786), § 308-25-300, filed 11/2/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-815-040.	308-26-040	Fees. [Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-26-040, filed 8/10/83. Formerly WAC 308-26-020.] Repealed by 87-10-028 (Order PM 650), filed 5/1/87. Statutory Authority: RCW 43.24.086.
308-25-310	Terms used in WAC 308-25-320 through 308-25-330. [Statutory Authority: RCW 18.130.175 and 18.32.534. 90-16-099 (Order 076), § 308-25-310, filed 8/1/90, effective 9/1/90.] Decodified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-510.	308-26-045	Dispensing optician fees. [Statutory Authority: RCW 43.24.086. 87-10-028 (Order PM 650), § 308-26-045, filed 5/1/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-990.
308-25-320	Approval of substance abuse monitoring programs. [Statutory Authority: RCW 18.130.175 and 18.32.534. 90-16-099 (Order 076), § 308-25-320, filed 8/1/90, effective 9/1/90.] Decodified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-520.	308-26-055	General provisions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-26-055, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-080.
308-25-330	Participation in approved substance abuse monitoring program. [Statutory Authority: RCW 18.130.175 and 18.32.534. 90-16-099 (Order 076), § 308-25-330, filed 8/1/90, effective 9/1/90.] Decodified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-530.	308-26-065	Mandatory reporting. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-26-065, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-090.
	Chapter 308-26 DISPENSING OPTICIANS	308-26-075	Health care institutions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-26-075, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-100.
308-26-005	Definitions. [Statutory Authority: RCW 18.04.040. 78-07-073 (Order PL-289), § 308-26-005, filed 6/30/78; Order PL-106, § 308-26-005, filed 2/2/71.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-010.	308-26-085	Dispensing optician associations or societies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-26-085, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-110.
308-26-010	Registration of apprentices. [Order PL 241, § 308-26-010, filed 2/26/76; Order PL-106, § 308-26-010, filed 2/2/71.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-020.	308-26-095	Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-26-095, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-120.
308-26-011	Comments. [Statutory Authority: RCW 18.04.040. 78-07-073 (Order PL-289), § 308-26-011, filed 6/30/78.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-030.	308-26-105	Professional liability carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-26-105, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-130.
308-26-015	Application for examination. [Statutory Authority: RCW 18.34.040 and 18.34.080. 84-08-019 (Order PL 464), § 308-26-015, filed 3/27/84; Order PL-106, § 308-26-015, filed 2/2/71.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-040.	308-26-115	Courts. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-26-115, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-140.
308-26-016	Approval of prescribed courses in opticianry. [Statutory Authority: RCW 18.34.040 and 18.34.070(5). 80-01-070 (Order 327), § 308-26-016, filed 12/21/79.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-050.	308-26-125	State and federal agencies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-26-125, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-150.
308-26-017	Dispensing optician examination. [Statutory Authority: RCW 18.34.040 and 18.34.080. 84-08-019 (Order PL 464), § 308-26-017, filed 3/27/84. Statutory Authority: RCW 18.34.080. 82-11-056 (Order PL 397), § 308-26-017, filed 5/13/82.] Decodified by 91-02-049 (Order	308-26-135	Cooperation with investigation. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-26-135, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-160.
		308-26-200	AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 88-22-077 (Order PM 786), § 308-26-200, filed 11/2/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90,

effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-824-170.

Chapter 308-27
CONTRACTOR CERTIFICATE OF REGISTRATION
RENEWALS—SECURITY—INSURANCE

- 308-27-010 Certificate of registration—Initial application. [Order 117, § 308-27-010, filed 3/13/72.] Repealed by Department of Labor and Industries Order 74-16, filed 5/6/75. See chapter 296-200 WAC.
- 308-27-020 Resignation (renewal). [Order 117, § 308-27-020, filed 3/13/72.] Repealed by Department of Labor and Industries Order 74-16, filed 5/6/74. See chapter 296-200 WAC.
- 308-27-030 Security and insurance requirements. [Order 117, § 308-27-030, filed 3/13/72.] Repealed by Department of Labor and Industries Order 74-16, filed 5/6/74. See chapter 296-200 WAC.

Chapter 308-31
PODIATRY

- 308-31-001 Board officers. [Statutory Authority: RCW 18.22.015(8). 86-01-041 (Order PL 573), § 308-31-001, filed 12/13/85.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-020.
- 308-31-010 Examinations. [Statutory Authority: RCW 18.22.015 and 1988 c 206 § 604. 89-02-047 (Order PM 813), § 308-31-010, filed 12/30/88. Statutory Authority: RCW 18.22.015(8). 88-11-034 (Order 733), § 308-31-010, filed 5/13/88. Statutory Authority: RCW 18.22.015 and 18.22.010(5). 86-22-042 (Order PM 624), § 308-31-010, filed 11/3/86. Statutory Authority: 1982 c 21 § 10. 83-03-032 (Order 418), § 308-31-010, filed 1/14/83; Order PL 250, § 308-31-010, filed 5/28/76; Order PL 128, § 308-31-010, filed 7/7/72.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-040.
- 308-31-015 Examinations required for licensure. [Statutory Authority: RCW 18.22.015. 87-04-050 (Order PM 638), § 308-31-015, filed 2/3/87; 84-02-077 (Order PL 450), § 308-31-015, filed 1/4/84.] Repealed by 88-11-034 (Order 733), filed 5/13/88. Statutory Authority: RCW 18.22.015(8).
- 308-31-020 Definitions. [Statutory Authority: RCW 18.22.015. 84-02-077 (Order PL 450), § 308-31-020, filed 1/4/84; Order PL 128, § 308-31-020, filed 7/7/72.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-010.
- 308-31-025 Scope of practice. [Statutory Authority: RCW 18.22.015. 87-09-045 (Order PM 643), § 308-31-025, filed 4/14/87; 87-04-050 (Order PM 638), § 308-31-025, filed 2/3/87.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-001.
- 308-31-030 Approved schools of podiatric medicine. [Statutory Authority: RCW 18.22.015 and 18.22.010(5). 86-22-042 (Order PM 624), § 308-31-030, filed 11/3/86. Statutory Authority: 1982 c 21 § 10. 83-03-032 (Order 418), § 308-31-030, filed 1/14/83.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-030.
- 308-31-040 Identification of licensees. [Statutory Authority: 1982 c 21 § 10. 83-03-032 (Order 418), § 308-31-040, filed 1/14/83.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-050.
- 308-31-050 Presumption of responsibility for advertisements. [Statutory Authority: 1982 c 21 § 10. 83-03-032 (Order 418), § 308-31-050, filed 1/14/83.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-060.
- 308-31-055 Podiatry fees. [Statutory Authority: RCW 43.70.250 and chapter 18.22 RCW. 90-16-057 (Order 072), § 308-31-055, filed 7/27/90, effective 8/27/90. Statutory Authority: RCW 43.24.086. 89-17-156, § 308-31-055, filed 8/23/89, effective 9/23/89; 87-18-031 (Order PM 667), § 308-31-055, filed 8/27/87. Statutory Authority: 1983 c 168 § 12. 83-22-060 (Order PL 446), § 308-31-

- 308-31-057 AIDS prevention and information education requirements. [Statutory Authority: RCW 18.22.015 and 1988 c 206 § 604. 89-02-047 (Order PM 813), § 308-31-057, filed 12/30/88.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-070.
- 308-31-060 Advertisements prior to licensure prohibited. [Statutory Authority: 1982 c 21 § 10. 83-03-032 (Order 418), § 308-31-060, filed 1/14/83.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-080.
- 308-31-100 Delegation of acts to unlicensed persons. [Statutory Authority: RCW 18.22.015. 87-04-050 (Order PM 638), § 308-31-100, filed 2/3/87; 84-02-077 (Order PL 450), § 308-31-100, filed 1/4/84.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-090.
- 308-31-110 Acts that may be delegated to an unlicensed person. [Statutory Authority: RCW 18.22.015. 84-02-077 (Order PL 450), § 308-31-110, filed 1/4/84.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-100.
- 308-31-120 Acts that may not be performed by unlicensed persons. [Statutory Authority: RCW 18.22.015. 87-04-050 (Order PM 638), § 308-31-120, filed 2/3/87; 84-02-077 (Order PL 450), § 308-31-120, filed 1/4/84.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-110.
- 308-31-200 Uniform Disciplinary Act. [Statutory Authority: RCW 18.22.017. 85-04-028 (Order PL 510), § 308-31-200, filed 1/31/85.] Repealed by 85-15-058 (Order PL 535), filed 7/17/85. Statutory Authority: RCW 18.22.015(8).
- 308-31-210 General provisions. [Statutory Authority: RCW 18.130.170 and chapter 18.22 RCW. 90-12-013 (Order 060), § 308-31-210, filed 5/30/90, effective 6/30/90.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-120.
- 308-31-220 Mandatory reporting. [Statutory Authority: RCW 18.130.170 and chapter 18.22 RCW. 90-12-013 (Order 060), § 308-31-220, filed 5/30/90, effective 6/30/90.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-130.
- 308-31-230 Health care institutions. [Statutory Authority: RCW 18.130.170 and chapter 18.22 RCW. 90-12-013 (Order 060), § 308-31-230, filed 5/30/90, effective 6/30/90.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-140.
- 308-31-240 Podiatric medical associations or societies. [Statutory Authority: RCW 18.130.170 and chapter 18.22 RCW. 90-12-013 (Order 060), § 308-31-240, filed 5/30/90, effective 6/30/90.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-150.
- 308-31-250 Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.130.170 and chapter 18.22 RCW. 90-12-013 (Order 060), § 308-31-250, filed 5/30/90, effective 6/30/90.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-160.
- 308-31-260 State and federal agencies. [Statutory Authority: RCW 18.130.170 and chapter 18.22 RCW. 90-12-013 (Order 060), § 308-31-260, filed 5/30/90, effective 6/30/90.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-170.
- 308-31-270 Professional review organizations. [Statutory Authority: RCW 18.130.170 and chapter 18.22 RCW. 90-12-013 (Order 060), § 308-31-270, filed 5/30/90, effective 6/30/90.] Decodified by 91-03-095 (Order 118B), filed

- 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-180.
- 308-31-280 Malpractice suit reporting. [Statutory Authority: RCW 18.130.170 and chapter 18.22 RCW. 90-12-013 (Order 060), § 308-31-280, filed 5/30/90, effective 6/30/90.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22-015. Recodified as WAC 246-922-190.
- 308-31-300 License renewal fee. [Order PL-163, § 308-31-300, filed 3/18/74.] Repealed by Order PL 226, filed 11/5/75.
- 308-31-310 Podiatry—Fees. [Statutory Authority: RCW 43.24.085, 80-14-022 (Order 356), § 308-31-310, filed 9/25/80; Order PL 226, § 308-31-310, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-31-055.
- 308-31-500 Professional and ethical standards. [Statutory Authority: RCW 18.22.015, 87-09-045 (Order PM 643), § 308-31-500, filed 4/14/87; 87-04-050 (Order PM 638), § 308-31-500, filed 2/3/87; 84-02-077 (Order PL 450), § 308-31-500, filed 1/4/84.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-200.
- 308-31-510 Patient abandonment. [Statutory Authority: RCW 18.22.015, 84-02-077 (Order PL 450), § 308-31-510, filed 1/4/84.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-210.
- 308-31-520 Exercise of professional judgment and skills. [Statutory Authority: RCW 18.22.015, 84-02-077 (Order PL 450), § 308-31-520, filed 1/4/84.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-220.
- 308-31-530 Prohibited transactions. [Statutory Authority: RCW 18.22.015, 84-02-077 (Order PL 450), § 308-31-530, filed 1/4/84.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-230.
- 308-31-540 Soliciting patients. [Statutory Authority: RCW 18.22.015, 84-02-077 (Order PL 450), § 308-31-540, filed 1/4/84.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-240.
- 308-31-550 Excessive fees. [Statutory Authority: RCW 18.22.015 and 18.22.010(5), 86-22-042 (Order PM 624), § 308-31-550, filed 11/3/86. Statutory Authority: RCW 18.22.015, 84-02-077 (Order PL 450), § 308-31-550, filed 1/4/84.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-250.
- 308-31-560 Maintenance of patient records. [Statutory Authority: RCW 18.22.015, 84-02-077 (Order PL 450), § 308-31-560, filed 1/4/84.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-260.
- 308-31-570 Inventory of legend drugs and controlled substances. [Statutory Authority: RCW 18.22.015, 84-02-077 (Order PL 450), § 308-31-570, filed 1/4/84.] Decodified by 91-03-095 (Order 118B), filed 1/18/91, effective 2/18/91. Statutory Authority: RCW 18.22.015. Recodified as WAC 246-922-270.

Chapter 308-32 DEBT ADJUSTERS

- 308-32-010 Nonparticipating creditors. [Order 2, § 308-32-010, filed 3/13/68.] Repealed by Order 5, filed 8/20/68, effective 10/1/68.
- 308-32-015 Nonparticipating creditors—Terms to be included in contract. [Statutory Authority: RCW 18.28.170, 79-08-062 (Order 307), § 308-32-015, filed 7/23/79; Order 5, § 308-32-015, filed 8/20/68, effective 10/1/68.] Repealed by 99-14-062, filed 7/2/99, effective 7/2/99.
- 308-32-020 Blind advertising. [Order 2, § 308-32-020, filed 3/13/68.] Repealed by 99-14-062, filed 7/2/99, effective 7/2/99.
- 308-32-030 Deceptive advertising. [Order 2, § 308-32-030, filed 3/13/68.] Repealed by 99-14-062, filed 7/2/99, effective 7/2/99.
- 308-32-040 Advertising—Rates of charge. [Order 2, § 308-32-040, filed 3/13/68.] Repealed by 99-14-062, filed 7/2/99, effective 7/2/99.

- 308-32-050 Maintenance of advertising copy. [Order 2, § 308-32-050, filed 3/13/68.] Repealed by 99-14-062, filed 7/2/99, effective 7/2/99.
- 308-32-060 Return of license. [Order 2, § 308-32-060, filed 3/13/68.] Repealed by 99-14-062, filed 7/2/99, effective 7/2/99.
- 308-32-070 Application—Fingerprints required. [Order 2, § 308-32-070, filed 3/13/68.] Repealed by 99-14-062, filed 7/2/99, effective 7/2/99.
- 308-32-080 Application and fees. [Statutory Authority: RCW 18.28.170, 87-21-011 (Order PM 686), § 308-32-080, filed 10/9/87; Order 5, § 308-32-080, filed 8/20/68, effective 10/1/68.] Repealed by 99-14-062, filed 7/2/99, effective 7/2/99.
- 308-32-090 Fees. [Statutory Authority: RCW 43.24.086, 90-06-052, § 308-32-090, filed 3/2/90, effective 4/2/90. Statutory Authority: 1983 c 168 § 12, 83-22-060 (Order PL 446), § 308-32-090, filed 11/2/83; 83-17-031 (Order PL 442), § 308-32-090, filed 8/10/83. Formerly WAC 308-32-310.] Repealed by 99-14-062, filed 7/2/99, effective 7/2/99.
- 308-32-100 Application of brief adjudicative proceedings. [Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c), 97-10-050, § 308-32-100, filed 5/1/97, effective 6/1/97.] Repealed by 01-03-065, filed 1/12/01, effective 2/12/01.
- 308-32-110 Preliminary record in brief adjudicative proceedings. [Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c), 97-10-050, § 308-32-110, filed 5/1/97, effective 6/1/97.] Repealed by 01-03-065, filed 1/12/01, effective 2/12/01.
- 308-32-120 Conduct of brief adjudicative proceedings. [Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c), 97-10-050, § 308-32-120, filed 5/1/97, effective 6/1/97.] Repealed by 01-03-065, filed 1/12/01, effective 2/12/01.
- 308-32-300 License renewal fee. [Order PL-163, § 308-32-300, filed 3/18/74.] Repealed by 79-08-062 (Order 307), filed 7/23/79. Statutory Authority: RCW 18.28.170.
- 308-32-310 Fees. [Statutory Authority: RCW 18.28.170, 79-08-062 (Order 307), § 308-32-310, filed 7/23/79; Order PL 211, § 308-32-310, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-32-090.

Chapter 308-34 NATUROPATHY

- 308-34-010 Definitions. [Statutory Authority: Chapter 18.36 RCW. 82-09-043 (Order PL 396), § 308-34-010, filed 4/14/82.] Repealed by 89-02-051 (Order PM 815), filed 1/3/89. Statutory Authority: RCW 18.36A.060(1).
- 308-34-020 Scope and purpose. [Statutory Authority: Chapter 18.36 RCW. 82-09-043 (Order PL 396), § 308-34-020, filed 4/14/82.] Repealed by 89-02-051 (Order PM 815), filed 1/3/89. Statutory Authority: RCW 18.36A.060(1).
- 308-34-030 Provisional approval. [Statutory Authority: Chapter 18.36 RCW. 82-09-043 (Order PL 396), § 308-34-030, filed 4/14/82.] Repealed by 89-02-051 (Order PM 815), filed 1/3/89. Statutory Authority: RCW 18.36A.060(1).
- 308-34-040 Full approval. [Statutory Authority: Chapter 18.36 RCW. 82-09-043 (Order PL 396), § 308-34-040, filed 4/14/82.] Repealed by 89-02-051 (Order PM 815), filed 1/3/89. Statutory Authority: RCW 18.36A.060(1).
- 308-34-050 Eligibility. [Statutory Authority: Chapter 18.36 RCW. 82-09-043 (Order PL 396), § 308-34-050, filed 4/14/82.] Repealed by 89-02-051 (Order PM 815), filed 1/3/89. Statutory Authority: RCW 18.36A.060(1).
- 308-34-060 Application procedure. [Statutory Authority: Chapter 18.36 RCW. 82-09-043 (Order PL 396), § 308-34-060, filed 4/14/82.] Repealed by 89-02-051 (Order PM 815), filed 1/3/89. Statutory Authority: RCW 18.36A.060(1).
- 308-34-070 Standards. [Statutory Authority: Chapter 18.36 RCW. 82-09-043 (Order PL 396), § 308-34-070, filed 4/14/82.] Repealed by 89-02-051 (Order PM 815), filed 1/3/89. Statutory Authority: RCW 18.36A.060(1).
- 308-34-080 Review procedures. [Statutory Authority: RCW 18.36.040, 87-21-011 (Order PM 686), § 308-34-080, filed 10/9/87. Statutory Authority: RCW 18.36.040 and 43.24.020, 85-01-018 (Order PL 500), § 308-34-080, filed 12/10/84. Statutory Authority: Chapter 18.36 RCW. 82-09-043 (Order PL 396), § 308-34-080, filed 4/14/82.] Repealed by 89-02-051 (Order PM 815), filed 1/3/89. Statutory Authority: RCW 18.36A.060(1).

(2007 Ed.)

- 5/10/74; Order PL 112, § 308-36-060, filed 6/25/71; Order, § 308-36-060, filed 12/3/69; Rules 7 and 12, filed 6/30/64.] Repealed by 82-07-094 (Order PL 393), filed 3/24/82. Statutory Authority: RCW 18.32.040.
- 308-36-065 Examination review procedures. [Statutory Authority: RCW 18.29.030 and 18.32.040. 80-18-009 (Order 363), § 308-36-065, filed 11/24/80; 80-05-063 (Order PL 342), § 308-36-065, filed 4/22/80.] Repealed by 82-07-094 (Order PL 393), filed 3/24/82. Statutory Authority: RCW 18.32.040.
- 308-36-070 Renewal of licenses. [Order PL 170, § 308-36-070, filed 5/21/74.] Repealed by 82-07-094 (Order PL 393), filed 3/24/82. Statutory Authority: RCW 18.32.040.
- 308-36-080 Dental hygienist—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-36-080, filed 9/25/80; Order PL 218, § 308-36-080, filed 11/5/75.] Repealed by 82-07-094 (Order PL 393), filed 3/24/82. Statutory Authority: RCW 18.32.040.

Chapter 308-37

DENTISTRY—LICENSE DISPLAY—REPORTS—RECORDS—INVENTORY REQUIREMENTS—PRESCRIBING PRACTICES

- 308-37-100 Display of licenses. [Statutory Authority: RCW 18.32.640. 81-06-013 (Order PL 373), § 308-37-100, filed 2/20/81.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-020.
- 308-37-110 Maintenance and retention of patient records. [Statutory Authority: RCW 18.32.640. 82-07-043 (Order PL 392), § 308-37-110, filed 3/17/82; 81-06-013 (Order PL 373), § 308-37-110, filed 2/20/81.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-030.
- 308-37-120 Report of patient injury or mortality. [Statutory Authority: RCW 18.32.640. 81-06-013 (Order PL 373), § 308-37-120, filed 2/20/81.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-040.
- 308-37-130 Recording requirements for all prescription drugs. [Statutory Authority: RCW 18.32.640(1). 83-04-050 (Order PL 423), § 308-37-130, filed 2/1/83; 81-06-013 (Order PL 373), § 308-37-130, filed 2/20/81.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-050.
- 308-37-135 Recording requirement for scheduled drugs. [Statutory Authority: RCW 18.32.640(1). 83-04-050 (Order PL 423), § 308-37-135, filed 2/1/83.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-060.
- 308-37-140 Prescribing, dispensing or distributing drugs. [Statutory Authority: RCW 18.32.640. 81-06-013 (Order PL 373), § 308-37-140, filed 2/20/81.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-070.
- 308-37-150 Patient abandonment. [Statutory Authority: RCW 18.32.640(1). 84-21-072 (Order PL 490), § 308-37-150, filed 10/17/84; 84-05-070 (Order PL 460), § 308-37-150, filed 2/22/84.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-080.
- 308-37-160 Representation of care, fees, and records. [Statutory Authority: RCW 18.32.640(1). 85-05-040 (Order PL 520), § 308-37-160, filed 2/19/85.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-090.
- 308-37-170 Disclosure of provider services. [Statutory Authority: RCW 18.32.640(1). 85-05-040 (Order PL 520), § 308-37-170, filed 2/19/85.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-100.
- 308-37-180 Disclosure of membership affiliation. [Statutory Authority: RCW 18.32.640(1). 85-05-040 (Order PL 520), § 308-37-180, filed 2/19/85.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-110.
- 308-37-190 Specialty representation. [Statutory Authority: RCW 18.32.640. 89-08-095 (Order PM 826), § 308-37-190, filed 4/5/89. Statutory Authority: RCW 18.32.640(1). 85-05-040 (Order PL 520), § 308-37-190, filed 2/19/85.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-120.

Chapter 308-38

GUIDELINES FOR DELEGATION OF DUTIES TO PERSONS NOT LICENSED AS DENTISTS

- 308-38-100 Purpose. [Statutory Authority: RCW 18.32.640. 81-17-054 (Order PL 382), § 308-38-100, filed 8/18/81.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-201.
- 308-38-110 Definitions. [Statutory Authority: RCW 18.32.640. 81-17-054 (Order PL 382), § 308-38-110, filed 8/18/81.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-210.
- 308-38-120 Acts that may be performed by unlicensed persons. [Statutory Authority: RCW 18.32.640. 81-17-054 (Order PL 382), § 308-38-120, filed 8/18/81.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-220.
- 308-38-130 Acts that may not be performed by unlicensed persons. [Statutory Authority: RCW 18.32.640. 81-17-054 (Order PL 382), § 308-38-130, filed 8/18/81.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-230.
- 308-38-140 Acts that may be performed by licensed dental hygienists under general supervision. [Statutory Authority: RCW 18.32.640. 81-17-054 (Order PL 382), § 308-38-140, filed 8/18/81.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-240.
- 308-38-150 Acts that may be performed by licensed dental hygienists under close supervision. [Statutory Authority: RCW 18.32.640. 81-17-054 (Order PL 382), § 308-38-150, filed 8/18/81.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-250.
- 308-38-160 Acts that may not be performed by dental hygienists. [Statutory Authority: RCW 18.32.640. 81-17-054 (Order PL 382), § 308-38-160, filed 8/18/81.] Decodedified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-260.

Chapter 308-39

GUIDELINES FOR SAFE ADMINISTRATION OF ANESTHETIC AGENTS FOR DENTAL PROCEDURES

- 308-39-100 Purpose. [Statutory Authority: RCW 18.32.640. 90-18-042 (Order 088), § 308-39-100, filed 8/29/90, effective 10/1/90; 81-06-013 (Order PL 373), § 308-39-100, filed 2/20/81.] Decodedified by 91-02-049 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-301.
- 308-39-110 Definitions. [Statutory Authority: RCW 18.32.640. 90-18-042 (Order 088), § 308-39-110, filed 8/29/90, effective 10/1/90. Statutory Authority: RCW 18.32.640(1). 82-16-087 (Order PL 403), § 308-39-110, filed 8/4/82. Statutory Authority: RCW 18.32.640. 81-06-013 (Order PL 373), § 308-39-110, filed 2/20/81.] Decodedified by 91-02-049 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-310.
- 308-39-120 Standards for dental administration of anesthesia. [Statutory Authority: RCW 18.32.640(1). 82-16-087 (Order PL 403), § 308-39-120, filed 8/4/82. Statutory Authority: RCW 18.32.640. 81-06-013 (Order PL 373), § 308-39-120, filed 2/20/81.] Repealed by 90-18-041 (Order 087), filed 8/29/90, effective 10/1/90. Statutory Authority: RCW 18.32.640.
- 308-39-125 Basic life support requirements. [Statutory Authority: RCW 18.32.640. 90-18-042 (Order 088), § 308-39-125, filed 8/29/90, effective 10/1/90.] Decodedified by 91-02-049 (Order 106B), filed 12/27/90, effective 1/31/91.

308-39-130	Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-320. Local anesthesia. [Statutory Authority: RCW 18.32.640. 90-18-042 (Order 088), § 308-39-130, filed 8/29/90, effective 10/1/90.] Decodified by 91-02-049 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-330.	
308-39-140	Nitrous oxide/oxygen sedation. [Statutory Authority: RCW 18.32.640. 90-18-042 (Order 088), § 308-39-140, filed 8/29/90, effective 10/1/90.] Decodified by 91-02-049 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-340.	
308-39-150	Conscious sedation with an oral agent. [Statutory Authority: RCW 18.32.640. 90-18-041 (Order 087), § 308-39-150, filed 8/29/90, effective 10/1/90.] Decodified by 91-02-049 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-350.	
308-39-160	Conscious sedation with parenteral or multiple oral agents. [Statutory Authority: RCW 18.32.640. 90-18-041 (Order 087), § 308-39-160, filed 8/29/90, effective 10/1/90.] Decodified by 91-02-049 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-360.	
308-39-170	General anesthesia (including deep sedation). [Statutory Authority: RCW 18.32.640. 90-18-041 (Order 087), § 308-39-170, filed 8/29/90, effective 10/1/90.] Decodified by 91-02-049 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-370.	
308-39-180	Mandatory reporting of death or significant complication. [Statutory Authority: RCW 18.32.640. 90-18-041 (Order 087), § 308-39-180, filed 8/29/90, effective 10/1/90.] Decodified by 91-02-049 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-380.	
308-39-190	Applications—Permits—Renewals for the administration of conscious sedation with multiple oral or parenteral agents or general anesthesia (including deep sedation). [Statutory Authority: RCW 18.32.640. 90-18-041 (Order 087), § 308-39-190, filed 8/29/90, effective 10/1/90.] Decodified by 91-02-049 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-390.	
308-39-200	Application of chapter 18.130 RCW. [Statutory Authority: RCW 18.32.640. 90-18-041 (Order 087), § 308-39-200, filed 8/29/90, effective 10/1/90.] Decodified by 91-02-049 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-400.	
308-39-210	Effective date. [Statutory Authority: RCW 18.32.640. 90-18-041 (Order 087), § 308-39-210, filed 8/29/90, effective 10/1/90.] Decodified by 91-02-049 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-410.	
308-39-220	Dental anesthesia permit fees. [Statutory Authority: RCW 43.70.250. 90-18-040 (Order 086), § 308-39-220, filed 8/29/90, effective 10/1/90.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-816-990.	
Chapter 308-40 DENTISTRY		
308-40-010	Maintenance of records. [Order, § 1, filed 3/23/60.] Decodified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.-640. Recodified as WAC 246-816-130.	
308-40-020	Prescriptions. [Statutory Authority: RCW 18.32.040. 82-04-024 (Order PL 391), § 308-40-020, filed 1/26/82; Order, § 2, filed 3/23/60.] Decodified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-140.	
308-40-030	Previous rules and regulations repealed. [Order, § 3, filed 3/23/60.] Repealed by 88-13-131 (Order PM 740), filed 6/22/88. Statutory Authority: RCW 18.32.040 and 18.130.050.	
308-40-040	A rule applicable to dental technicians. [Order, filed 3/23/60.] Decodified by 91-02-048 (Order 106B), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 18.32.640. Recodified as WAC 246-816-150.	
308-40-100	Examination for a dental license. [Order PL 277, § 308-40-100, filed 11/17/77; Order PL 266, § 308-40-100, filed 3/24/77; Order PL 237, § 308-40-100, filed 2/18/76; Order PL 151, § 308-40-100, filed 10/3/73; Order PL-108, § 308-40-100, filed 6/25/71; Order, § 308-40-100, filed 12/3/69; § 308-40-100, filed 4/14/67; Examination rule, filed 6/30/64.] Repealed by 79-04-011 (Order 295, Resolution No. 295), filed 3/13/79. Statutory Authority: RCW 18.32.040.	
308-40-101	Examination eligibility and application. [Statutory Authority: RCW 18.32.040 and 18.130.050. 88-13-131 (Order PM 740), § 308-40-101, filed 6/22/88. Statutory Authority: RCW 18.32.040. 82-04-024 (Order PL 391), § 308-40-101, filed 1/26/82. Statutory Authority: RCW 18.29.030 and 18.32.040. 81-08-043 (Order PL 374), § 308-40-101, filed 3/31/81; 80-05-063 (Order PL 342), § 308-40-101, filed 4/22/80. Statutory Authority: RCW 18.32.040. 79-04-011 (Order 295, Resolution No. 295), § 308-40-101, filed 3/13/79.] Decodified by 91-01-007 (Order 101B), filed 12/6/90, effective 1/31/91. Statutory Authority: RCW 18.32.035. Recodified as WAC 246-818-020.	
308-40-102	Examination content. [Statutory Authority: RCW 18.32.040(4) and 18.32.120. 89-06-075 (Order PM 819), § 308-40-102, filed 3/1/89. Statutory Authority: RCW 18.32.040 and 18.130.050. 88-13-131 (Order PM 740), § 308-40-102, filed 6/22/88. Statutory Authority: RCW 18.32.040. 87-09-097 (Order PM 649), § 308-40-102, filed 4/22/87; 86-08-046 (Order PL 583), § 308-40-102, filed 3/27/86; 84-07-050 (Order PL 462), § 308-40-102, filed 3/21/84; 83-08-021 (Order PL 431), § 308-40-102, filed 3/29/83; 82-04-024 (Order PL 391), § 308-40-102, filed 1/26/82; 79-04-011 (Order 295, Resolution No. 295), § 308-40-102, filed 3/13/79.] Decodified by 91-01-007 (Order 101B), filed 12/6/90, effective 1/31/91. Statutory Authority: RCW 18.32.035. Recodified as WAC 246-818-030.	
308-40-103	Dismissal from examination. [Statutory Authority: RCW 18.32.040 and 18.130.050. 88-13-131 (Order PM 740), § 308-40-103, filed 6/22/88. Statutory Authority: RCW 18.32.040. 82-04-024 (Order PL 391), § 308-40-103, filed 1/26/82.] Decodified by 91-01-007 (Order 101B), filed 12/6/90, effective 1/31/91. Statutory Authority: RCW 18.32.035. Recodified as WAC 246-818-040.	
308-40-104	Examination results. [Statutory Authority: RCW 18.32.640. 89-01-083 (Order PM 809), § 308-40-104, filed 12/20/88. Statutory Authority: RCW 18.32.040. 85-16-113 (Order PL 547), § 308-40-104, filed 8/7/85; 84-11-025 (Order PL 467), § 308-40-104, filed 5/11/84; 82-04-024 (Order PL 391), § 308-40-104, filed 1/26/82.] Decodified by 91-01-007 (Order 101B), filed 12/6/90, effective 1/31/91. Statutory Authority: RCW 18.32.035. Recodified as WAC 246-818-050.	
308-40-105	Practical examination review procedures. [Statutory Authority: RCW 18.32.040 and 18.32.120. 89-13-052 (Order PM 834), § 308-40-105, filed 6/19/89. Statutory Authority: RCW 18.32.040 and 18.130.050. 88-13-131 (Order PM 740), § 308-40-105, filed 6/22/88. Statutory Authority: RCW 18.32.040. 87-09-097 (Order PM 649), § 308-40-105, filed 4/22/87; 82-04-024 (Order PL 391), § 308-40-105, filed 1/26/82. Statutory Authority: RCW 18.29.030 and 18.32.040. 80-18-009 (Order 363), § 308-40-105, filed 11/24/80; 80-05-063 (Order PL 342), § 308-40-105, filed 4/22/80.] Decodified by 91-01-007 (Order 101B), filed 12/6/90, effective 1/31/91. Statutory Authority: RCW 18.32.035. Recodified as WAC 246-818-060.	
308-40-106	Written examination review procedures. [Statutory Authority: RCW 18.32.040 and 18.32.120. 89-13-052 (Order PM 834), § 308-40-106, filed 6/19/89.] Decodified by 91-01-007 (Order 101B), filed 12/6/90, effective 1/31/91. Statutory Authority: RCW 18.32.035. Recodified as WAC 246-818-070.	
308-40-107	Application for licensure—AIDS education requirements. [Statutory Authority: RCW 70.24.270. 90-08-011, § 308-40-107, filed 3/26/90, effective 4/26/90.] Decodified by 91-01-007 (Order 101B), filed 12/6/90, effective 1/31/91. Statutory Authority: RCW 18.32.-035. Recodified as WAC 246-818-080.	
308-40-110	Graduates of nonaccredited schools. [Statutory Authority: RCW 18.32.040. 84-23-062 (Order PL 496), § 308-	

- 40-110, filed 11/21/84; 83-08-021 (Order PL 431), § 308-40-110, filed 3/29/83; 82-04-024 (Order PL 391), § 308-40-110, filed 1/26/82; Order PL 253, § 308-40-110, filed 7/13/76; Order PL 194, § 308-40-110, filed 7/2/75.] Decodified by 91-01-007 (Order 101B), filed 12/6/90, effective 1/31/91. Statutory Authority: RCW 18.32.035. Recodified as WAC 246-818-090.
- 308-40-111 Preclinical exam waiver. [Statutory Authority: RCW 18.32.040. 79-04-011 (Order 295, Resolution No. 295), § 308-40-111, filed 3/13/79.] Repealed by 85-07-046 (Order PL 524), filed 3/19/85. Statutory Authority: RCW 18.32.040.
- 308-40-115 Licenses—Persons licensed or qualified out-of-state who are faculty at school of dentistry—Conditions. [Statutory Authority: RCW 18.32.035 and 18.32.195. 90-11-083 (Order 057), § 308-40-115, filed 5/17/90, effective 6/17/90.] Decodified by 91-01-007 (Order 101B), filed 12/6/90, effective 1/31/91. Statutory Authority: RCW 18.32.035. Recodified as WAC 246-818-100.
- 308-40-120 Dentistry—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-40-120, filed 9/25/80; Order PL 218, § 308-40-120, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-40-125.
- 308-40-125 Dentist fees. [Statutory Authority: RCW 43.70.250. 90-04-094 (Order 029), § 308-40-125, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086. 87-18-031 (Order PM 667), § 308-40-125, filed 8/27/87. Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-40-125, filed 8/10/83. Formerly WAC 308-40-120.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-818-990.
- 308-40-130 Renewal of licenses. [Order PL 262, § 308-40-130, filed 1/13/77.] Repealed by 90-05-039 (Order 036), filed 2/14/90, effective 3/1/90. Statutory Authority: 1989 c 202 § 22.
- 308-40-135 Renewal of licenses. [Statutory Authority: 1989 c 202 § 22. 90-05-039 (Order 036), § 308-40-135, filed 2/14/90, effective 3/1/90.] Decodified by 91-01-007 (Order 101B), filed 12/6/90, effective 1/31/91. Statutory Authority: RCW 18.32.035. Recodified as WAC 246-818-150.
- 308-40-140 AIDS prevention and information education requirements. [Statutory Authority: 1988 c 206 § 604. 89-11-053 (Order PM 837), § 308-40-140, filed 5/17/89.] Decodified by 91-01-007 (Order 101B), filed 12/6/90, effective 1/31/91. Statutory Authority: RCW 18.32.-035. Recodified as WAC 246-818-110.
- 308-40-150 Licensure without examination for dentists—Eligibility. [Statutory Authority: RCW 18.32.035. 90-18-038 (Order 085), § 308-40-150, filed 8/28/90, effective 9/28/90.] Decodified by 91-01-007 (Order 101B), filed 12/6/90, effective 1/31/91. Statutory Authority: RCW 18.32.035. Recodified as WAC 246-818-120.
- 308-40-151 Licensure without examination for dentists—Application procedure. [Statutory Authority: RCW 18.32.035. 90-18-038 (Order 085), § 308-40-151, filed 8/28/90, effective 9/28/90.] Decodified by 91-01-007 (Order 101B), filed 12/6/90, effective 1/31/91. Statutory Authority: RCW 18.32.035. Recodified as WAC 246-818-130.
- 308-40-152 Licensure without examination for dentists—Licensing examination standards. [Statutory Authority: RCW 18.32.035. 90-18-038 (Order 085), § 308-40-152, filed 8/28/90, effective 9/28/90.] Decodified by 91-01-007 (Order 101B), filed 12/6/90, effective 1/31/91. Statutory Authority: RCW 18.32.035. Recodified as WAC 246-818-140.

Chapter 308-41

LICENSING UNDER THE DRUGLESS THERAPEUTICS LAW

- 308-41-010 License renewal fee. [Order PL 166, § 308-41-010, filed 4/2/74.] Repealed by Order PL 225, filed 11/5/75. Later promulgation, see WAC 308-41-020.
- 308-41-020 Drugless therapist—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-41-020, filed 9/25/80; Order PL 225, § 308-41-020, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-41-025.

308-41-025

Fees. [Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-41-025, filed 8/10/83. Formerly WAC 308-41-020.] Repealed by 90-17-088 (Order 078), filed 8/17/90, effective 9/17/90. Statutory Authority: RCW 43.70.250.

Chapter 308-42

PHYSICAL THERAPISTS

- 308-42-010 Definitions. [Statutory Authority: RCW 18.74.023(3). 89-21-007, § 308-42-010, filed 10/6/89, effective 11/6/89; 88-23-014 (Order PM 789), § 308-42-010, filed 11/7/88. Statutory Authority: RCW 18.74.023. 84-13-057 (Order PL 471), § 308-42-010, filed 6/19/84; Order PL 191, § 308-42-010, filed 5/29/75; Order 704207, § 308-42-010, filed 8/7/70, effective 9/15/70.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-010.
- 308-42-020 Registration certificates—Signed by examining committee. [Order 704207, § 308-42-020, filed 8/7/70, effective 9/15/70.] Repealed by 84-03-055 (Order PL 455), filed 1/18/84. Statutory Authority: RCW 18.74.-023.
- 308-42-025 Application for registration—Process. [Order PL 191, § 308-42-025, filed 5/29/75.] Repealed by 83-05-032 (Order PL 426), filed 2/10/83. Statutory Authority: RCW 18.74.020.
- 308-42-030 Examining committee—Chairman to be designated. [Statutory Authority: RCW 18.74.020. 83-05-032 (Order PL 426), § 308-42-030, filed 2/10/83; Order 704207, § 308-42-030, filed 8/7/70, effective 9/15/70.] Repealed by 84-03-055 (Order PL 455), filed 1/18/84. Statutory Authority: RCW 18.74.023.
- 308-42-035 Examination committee—Meetings. [Statutory Authority: RCW 18.74.020. 79-05-035 (Order PL 302), § 308-42-035, filed 4/24/79; Order PL 191, § 308-42-035, filed 5/29/75.] Repealed by 84-03-055 (Order PL 455), filed 1/18/84. Statutory Authority: RCW 18.74.023.
- 308-42-040 Examinations—When held. [Statutory Authority: RCW 18.74.023. 87-08-065 (Order PM 644), § 308-42-040, filed 4/1/87; 84-03-055 (Order PL 455), § 308-42-040, filed 1/18/84. Statutory Authority: RCW 18.74.020. 83-05-032 (Order PL 426), § 308-42-040, filed 2/10/83; 79-05-035 (Order PL 302), § 308-42-040, filed 4/24/79; Order PL 191, § 308-42-040, filed 5/29/75; Order 704207, § 308-42-040, filed 8/7/70, effective 9/15/70.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.-023. Recodified as WAC 246-915-020.
- 308-42-045 Examination. [Statutory Authority: Chapter 18.74 RCW. 90-16-070 (Order 074), § 308-42-045, filed 7/30/90, effective 8/30/90. Statutory Authority: RCW 18.74.023. 86-19-063 (Order PM 619), § 308-42-045, filed 9/16/86; 84-17-032 (Order PL 477), § 308-42-045, filed 8/8/84. Statutory Authority: RCW 18.74.020. 83-05-032 (Order PL 426), § 308-42-045, filed 2/10/83; 81-19-071 (Order PL 384), § 308-42-045, filed 9/15/81; Order PL 191, § 308-42-045, filed 5/29/75.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-030.
- 308-42-050 Probationary certificates—Foreign trained applicants. [Order PL 191, § 308-42-050, filed 5/29/75; Order 704207, § 308-42-050, filed 8/7/70, effective 9/15/70.] Repealed by 84-03-055 (Order PL 455), filed 1/18/84. Statutory Authority: RCW 18.74.023.
- 308-42-055 Probationary certificates—Domestic trained applicants. [Statutory Authority: RCW 18.74.020. 80-14-011 (Order PL-354), § 308-42-055, filed 9/22/80.] Repealed by 84-03-055 (Order PL 455), filed 1/18/84. Statutory Authority: RCW 18.74.023.
- 308-42-060 Reciprocity—Requirements for licensure. [Statutory Authority: Chapter 18.74 RCW. 90-16-070 (Order 074), § 308-42-060, filed 7/30/90, effective 8/30/90. Statutory Authority: RCW 18.74.023. 86-19-063 (Order PM 619), § 308-42-060, filed 9/16/86; 84-17-032 (Order PL 477), § 308-42-060, filed 8/8/84. Statutory Authority: RCW 18.74.020. 83-05-032 (Order PL 426), § 308-42-060, filed 2/10/83; 81-19-071 (Order PL 384), § 308-42-060, filed 9/15/81; Order PL 191, § 308-42-060, filed 5/29/75; Order 704207, § 308-42-060, filed 8/7/70, effective 9/15/70.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91.

	Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-040.		§ 308-42-136, filed 5/16/85.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-150.
308-42-070	Reinstatement. [Statutory Authority: RCW 18.74.023. 84-03-055 (Order PL 455), § 308-42-070, filed 1/18/84. Statutory Authority: RCW 18.74.020. 83-05-032 (Order PL 426), § 308-42-070, filed 2/10/83.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-050.	308-42-140	Supportive personnel identification. [Statutory Authority: RCW 18.74.023. 84-13-057 (Order PL 471), § 308-42-140, filed 6/19/84.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-160.
308-42-075	Physical therapy fees. [Statutory Authority: RCW 43.24.086. 87-10-028 (Order PM 650), § 308-42-075, filed 5/1/87. Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-42-075, filed 8/10/83. Formerly WAC 308-42-100.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-915-990.	308-42-145	Special requirements for physical therapist assistant utilization. [Statutory Authority: RCW 18.74.023(3). 89-19-007 (Order PM 859), § 308-42-145, filed 9/8/89, effective 10/9/89. Statutory Authority: RCW 18.74.-023. 84-17-032 (Order PL 477), § 308-42-145, filed 8/8/84.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-170.
308-42-080	Registration renewal fee. [Order PL 149, § 308-42-080, filed 9/18/73.] Repealed by Order PL 219, filed 11/5/75. Later promulgation, see WAC 308-42-100.	308-42-150	Professional conduct principles. [Statutory Authority: RCW 18.74.023. 84-13-057 (Order PL 471), § 308-42-150, filed 6/19/84.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-180.
308-42-090	Applications. [Statutory Authority: RCW 18.74.023(3). 88-23-014 (Order PM 789), § 308-42-090, filed 11/7/88.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-060.	308-42-155	Division of fees—Rebating—Financial interest—Endorsement. [Statutory Authority: RCW 18.74.023. 84-13-057 (Order PL 471), § 308-42-155, filed 6/19/84.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-190.
308-42-100	Physical therapist—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-42-100, filed 9/25/80; Order PL 219, § 308-42-100, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-42-075.	308-42-160	Physical therapy records. [Statutory Authority: RCW 18.74.023. 84-17-032 (Order PL 477), § 308-42-160, filed 8/8/84.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-200.
308-42-110	Application due date. [Statutory Authority: RCW 18.74.020. 79-05-035 (Order PL 302), § 308-42-110, filed 4/24/79.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-070.	308-42-200	Uniform Disciplinary Act. [Statutory Authority: 1984 c 279 § 43. 84-17-031 (Order PL 476), § 308-42-200, filed 8/8/84.] Repealed by 85-18-087 (Order PL 549), filed 9/4/85. Statutory Authority: RCW 18.74.028.
308-42-120	Renewal of license. [Statutory Authority: RCW 18.74.023(3). 89-21-008, § 308-42-120, filed 10/6/89, effective 11/6/89; 88-23-014 (Order PM 789), § 308-42-120, filed 11/7/88. Statutory Authority: RCW 18.74.-023. 84-03-055 (Order PL 455), § 308-42-120, filed 1/18/84. Statutory Authority: RCW 43.24.140. 80-04-057 (Order 337), § 308-42-120, filed 3/24/80.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-080.	308-42-210	General provisions. [Statutory Authority: RCW 18.130.070. 87-18-040 (Order PM 675), § 308-42-210, filed 8/28/87.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-210.
308-42-121	Change of address or name—Notification of department. [Statutory Authority: RCW 18.74.023(3). 89-21-009, § 308-42-121, filed 10/6/89, effective 11/6/89.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-090.	308-42-220	Mandatory reporting. [Statutory Authority: RCW 18.130.070. 87-18-040 (Order PM 675), § 308-42-220, filed 8/28/87.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-220.
308-42-122	Approved physical therapy schools. [Statutory Authority: RCW 18.74.023. 85-10-002 (Order PL 525), § 308-42-122, filed 4/18/85.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-100.	308-42-230	Health care institutions. [Statutory Authority: RCW 18.130.070. 87-18-040 (Order PM 675), § 308-42-230, filed 8/28/87.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-230.
308-42-123	AIDS education and training. [Statutory Authority: RCW 18.74.023(3). 88-23-014 (Order PM 789), § 308-42-123, filed 11/7/88.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-110.	308-42-240	Physical therapy associations or societies. [Statutory Authority: RCW 18.130.070. 87-18-040 (Order PM 675), § 308-42-240, filed 8/28/87.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-240.
308-42-125	Applicants from unapproved schools. [Statutory Authority: RCW 18.74.023. 84-13-057 (Order PL 471), § 308-42-125, filed 6/19/84.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-120.	308-42-250	Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.130.070. 87-18-040 (Order PM 675), § 308-42-250, filed 8/28/87.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.-023. Recodified as WAC 246-915-250.
308-42-130	Initial evaluation—Referral—Nonreferral—Recommendations—Follow-up. [Statutory Authority: RCW 18.74.023. 84-13-057 (Order PL 471), § 308-42-130, filed 6/19/84.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-130.	308-42-260	Professional liability carriers. [Statutory Authority: RCW 18.130.070. 87-18-040 (Order PM 675), § 308-42-260, filed 8/28/87.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-260.
308-42-135	Supportive personnel—Supervision. [Statutory Authority: RCW 18.74.023. 84-17-032 (Order PL 477), § 308-42-135, filed 8/8/84.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-140.	308-42-270	Courts. [Statutory Authority: RCW 18.130.070. 87-18-040 (Order PM 675), § 308-42-270, filed 8/28/87.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.-023. Recodified as WAC 246-915-270.
308-42-136	Physical therapist assistant supervision ratio. [Statutory Authority: RCW 18.74.023. 85-11-049 (Order PL 531),	308-42-280	State and federal agencies. [Statutory Authority: RCW 18.130.070. 87-18-040 (Order PM 675), § 308-42-280, filed 8/28/87.] Decodified by 91-02-011 (Order 103B), filed 12/21/90, effective 1/31/91. Statutory Authority: RCW 18.74.023. Recodified as WAC 246-915-280.

Chapter 308-50
REGULATION AND PRACTICE OF
HEARING AID FITTERS AND DISPENSERS

308-50-010 Examinations. [Statutory Authority: RCW 18.35.161 (4), 89-08-096 (Order PM 828), § 308-50-010, filed 4/5/89. Statutory Authority: RCW 18.35.161(3), 87-14-030 (Order PM 654), § 308-50-010, filed 6/26/87. Statutory Authority: RCW 18.35.161, 84-08-062 (Order PL 463), § 308-50-010, filed 4/4/84; Order PL 190, § 308-50-010, filed 5/23/75; Order PL 159, § 308-50-010, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-020.

308-50-020 Reexaminations. [Statutory Authority: RCW 18.35.-161, 89-04-017 (Order PM 818), § 308-50-020, filed 1/23/89. Statutory Authority: RCW 18.35.161(3), 87-14-030 (Order PM 654), § 308-50-020, filed 6/26/87. Statutory Authority: RCW 18.35.161, 84-19-019 (Order PL 479), § 308-50-020, filed 9/12/84; Order PL 222, § 308-50-020, filed 11/5/75; Order PL 159, § 308-50-020, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-030.

308-50-030 Failure to appear at examination. [Order PL 159, § 308-50-030, filed 2/8/74.] Repealed by Order PL 190, filed 5/23/75.

308-50-035 Examination review and appeal procedures. [Statutory Authority: RCW 18.35.161, 89-14-007 (Order PM 848), § 308-50-035, filed 6/22/89; 89-04-017 (Order PM 818), § 308-50-035, filed 1/23/89. Statutory Authority: RCW 18.35.161(3), 87-14-030 (Order PM 654), § 308-50-035, filed 6/26/87.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-040.

308-50-040 Refunds on examination fee. [Order PL 159, § 308-50-040, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-050.

308-50-050 Failure to renew license. [Order PL 222, § 308-50-050, filed 11/5/75; Order PL 159, § 308-50-050, filed 2/8/74.] Repealed by 84-08-062 (Order PL 463), filed 4/4/84. Statutory Authority: RCW 18.35.161.

308-50-055 Medical certification. [Order PL 190, § 308-50-055, filed 5/23/75.] Repealed by 81-09-030 (Order PL 375), filed 4/13/81. Statutory Authority: RCW 18.35.140.

308-50-060 Place(s) of business in Washington. [Order PL 159, § 308-50-060, filed 2/8/74.] Repealed by 85-10-024 (Order PL 526), filed 4/24/85. Statutory Authority: RCW 18.35.161.

308-50-070 Mobile hearing aid dispensing units. [Order PL 159, § 308-50-070, filed 2/8/74.] Repealed by 85-10-024 (Order PL 526), filed 4/24/85. Statutory Authority: RCW 18.35.161.

308-50-080 Temporary or itinerant activities prohibited. [Statutory Authority: RCW 18.35.140, 81-09-030 (Order PL 375), § 308-50-080, filed 4/13/81; Order PL 159, § 308-50-080, filed 2/8/74.] Repealed by 85-10-024 (Order PL 526), filed 4/24/85. Statutory Authority: RCW 18.35.161.

308-50-090 Trainees. [Statutory Authority: RCW 18.35.161, 84-19-018 (Order PL 478), § 308-50-090, filed 9/12/84; Order PL 159, § 308-50-090, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-060.

308-50-100 Termination of trainee sponsorship. [Statutory Authority: RCW 18.35.161, 84-08-062 (Order PL 463), § 308-50-100, filed 4/4/84; Order PL 159, § 308-50-100, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-070.

308-50-110 Minimum standards of equipment. [Statutory Authority: RCW 18.35.161, 84-19-019 (Order PL 479), § 308-50-110, filed 9/12/84; Order PL 159, § 308-50-110, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-080.

308-50-120 Standards for equipment calibration. [Statutory Authority: RCW 18.35.161, 84-08-062 (Order PL 463), § 308-50-120, filed 4/4/84; Order PL 159, § 308-50-120, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-090.

308-50-130 Minimal standards of practice. [Statutory Authority: RCW 18.35.161, 89-04-017 (Order PM 818), § 308-50-130, filed 1/23/89; 84-19-018 (Order PL 478), § 308-50-130, filed 9/12/84; Order PL 159, § 308-50-130, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-100.

308-50-140 Bait advertising. [Statutory Authority: RCW 18.35.161. Readopted by 84-14-100 (Order PL 469), § 308-50-140, filed 7/3/84; Order PL 159, § 308-50-140, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-110.

308-50-150 Unfair or deceptive practices, unethical conduct and unfair methods of competition—Misrepresenting products, services, personnel or material facts. [Statutory Authority: RCW 18.35.161, 84-19-018 (Order PL 478), § 308-50-150, filed 9/12/84; Order PL 159, § 308-50-150, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-120.

308-50-160 Unfair or deceptive practices, unethical conduct and unfair methods of competition—Guarantees and warranties. [Statutory Authority: RCW 18.35.161. Readopted by 84-14-100 (Order PL 469), § 308-50-160, filed 7/3/84; Order PL 159, § 308-50-160, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-130.

308-50-170 Unfair or deceptive practices, unethical conduct and unfair methods of competition—Character of business, etc. [Statutory Authority: RCW 18.35.161. Readopted by 84-14-100 (Order PL 469), § 308-50-170, filed 7/3/84; Order PL 159, § 308-50-170, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-140.

308-50-180 Unfair or deceptive practices, unethical conduct and unfair methods of competition—Use of physician. [Statutory Authority: RCW 18.35.161. Readopted by 84-14-100 (Order PL 469), § 308-50-180, filed 7/3/84; Order PL 159, § 308-50-180, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-150.

308-50-190 Unfair or deceptive practices, unethical conduct and unfair methods of competition—Use of words "prescription," "diagnosis," etc. [Statutory Authority: RCW 18.35.161. Readopted by 84-14-100 (Order PL 469), § 308-50-190, filed 7/3/84; Order PL 261, § 308-50-190, filed 12/21/76; Order PL 190, § 308-50-190, filed 5/23/75; Order PL 159, § 308-50-190, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-160.

308-50-200 Unfair or deceptive practices, unethical conduct and unfair methods of competition—Deception as to visibility, construction, etc. [Statutory Authority: RCW 18.35.161. Readopted by 84-14-100 (Order PL 469), § 308-50-200, filed 7/3/84; Order PL 159, § 308-50-200, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-170.

308-50-210 Unfair or deceptive practices, unethical conduct and unfair methods of competition—Deception as to batteries. [Statutory Authority: RCW 18.35.161. Readopted by 84-14-100 (Order PL 469), § 308-50-210, filed 7/3/84; Order PL 159, § 308-50-210, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-180.

308-50-220 Unfair or deceptive practices, unethical conduct and unfair methods of competition—Deception representing novelty of products. [Statutory Authority: RCW 18.35.161, 84-14-100 (Order PL 469), § 308-50-220, filed 7/3/84; Order PL 159, § 308-50-220, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-190.

308-50-230 Unfair or deceptive practices, unethical conduct and unfair methods of competition—Misrepresenting business establishment. [Statutory Authority: RCW 18.35.-161. Readopted by 84-14-100 (Order PL 469), § 308-50-230, filed 7/3/84; Order PL 159, § 308-50-230, filed

308-50-240	2/8/74.] Repealed by 86-09-064 (Order PL 586), filed 4/17/86. Statutory Authority: RCW 18.35.161. Unfair or deceptive practices, unethical conduct and unfair methods of competition—Advertising of parts, accessories or components. [Statutory Authority: RCW 18.35.161. Readopted by 84-14-100 (Order PL 469), § 308-50-240, filed 7/3/84; Order PL 159, § 308-50-240, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-200.	308-50-340	Fees. [Order PL 222, § 308-50-340, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-50-375.
308-50-250	Unfair or deceptive practices, unethical conduct and unfair methods of competition—Endorsements, etc. [Statutory Authority: RCW 18.35.161. Readopted by 84-14-100 (Order PL 469), § 308-50-250, filed 7/3/84; Order PL 159, § 308-50-250, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-210.	308-50-350	Renewal of license. [Statutory Authority: RCW 18.35.-161, 89-04-017 (Order PM 818), § 308-50-350, filed 1/23/89. Statutory Authority: 1983 c 39 § 7. 83-23-056 (Order PL 447), § 308-50-350, filed 11/15/83.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-300.
308-50-260	Unfair or deceptive practices, unethical conduct and unfair methods of competition—Used or rebuilt products. [Statutory Authority: RCW 18.35.161. Readopted by 84-14-100 (Order PL 469), § 308-50-260, filed 7/3/84; Order PL 159, § 308-50-260, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-220.	308-50-375	Fees. [Statutory Authority: RCW 43.24.086, 84-22-061 (Order PL 494), § 308-50-375, filed 8/10/83. Formerly WAC 308-50-340.] Repealed by 87-18-031 (Order PM 667), filed 8/27/87. Statutory Authority: RCW 43.24.-086.
308-50-270	Unfair or deceptive practices, unethical conduct and unfair methods of competition—Association with the state of Washington. [Statutory Authority: RCW 18.35.161, 85-05-020 (Order PL 518) § 308-50-270, filed 2/13/85; Readopted by 84-14-100 (Order PL 469), § 308-50-270, filed 7/3/84; Order PL 159, § 308-50-270, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-230.	308-50-380	Unfair or deceptive practices, unethical conduct and unfair methods of competition—Misrepresenting products, services, personnel or other material facts during telephone solicitations. [Statutory Authority: RCW 18.35.161, 85-05-020 (Order PL 518) § 308-50-380, filed 2/13/85.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-310.
308-50-280	Unfair or deceptive practices, unethical conduct and unfair methods of competition—Tests, acceptance or approval. [Statutory Authority: RCW 18.35.161. Readopted by 84-14-100 (Order PL 469), § 308-50-280, filed 7/3/84; Order PL 159, § 308-50-280, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-240.	308-50-390	Minimum standards for fitting and dispensing locations. [Statutory Authority: RCW 18.35.161, 85-10-024 (Order PL 526), § 308-50-390, filed 4/24/85.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-320.
308-50-290	Unfair or deceptive practices, unethical conduct and unfair methods of competition—Use, imitation or simulation of trademarks, etc. [Statutory Authority: RCW 18.35.161. Readopted by 84-14-100 (Order PL 469), § 308-50-290, filed 7/3/84; Order PL 159, § 308-50-290, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-250.	308-50-400	Notice of availability and location of follow-up services. [Statutory Authority: RCW 18.35.161, 85-10-024 (Order PL 526), § 308-50-400, filed 4/24/85.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-330.
308-50-295	Unfair or deceptive practices, unethical conduct and unfair methods of competition—Defamation of competitors or false disparagement of their products. [Statutory Authority: RCW 18.35.161. Readopted by 84-14-100 (Order PL 469), § 308-50-295, filed 5/23/75.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-260.	308-50-410	Surety bonding—Security in lieu of bonding. [Statutory Authority: RCW 18.35.161, 85-10-024 (Order PL 526), § 308-50-410, filed 4/24/85.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-340.
308-50-300	Unfair or deceptive practices, unethical conduct and unfair methods of competition—Canvassing. [Order PL 159, § 308-50-300, filed 2/8/74.] Repealed by 85-10-024 (Order PL 526), filed 4/24/85. Statutory Authority: RCW 18.35.161.	308-50-420	Reasonable cause for recision. [Statutory Authority: RCW 18.35.161, 89-04-017 (Order PM 818), § 308-50-420, filed 1/23/89; 86-09-064 (Order PL 586), § 308-50-420, filed 4/17/86.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-350.
308-50-310	Personal disclosure. [Statutory Authority: RCW 18.35.161, 85-23-065 (Order PL 563), § 308-50-310, filed 11/19/85; Order PL 159, § 308-50-310, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-270.	308-50-430	Procedure for declaratory ruling. [Statutory Authority: RCW 18.35.161, 86-09-064 (Order PL 586), § 308-50-430, filed 4/17/86.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-360.
308-50-320	Documentation of referrals. [Statutory Authority: RCW 18.35.161, 85-10-024 (Order PL 526), § 308-50-320, filed 4/24/85; Order PL 159, § 308-50-320, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-280.	308-50-440	Hearing aid fitter/dispenser fees. [Statutory Authority: RCW 43.70.250, 90-04-094 (Order 029), § 308-50-440, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086, 87-18-031 (Order PM 667), § 308-50-440, filed 8/27/87.] Decodified by 91-11-030 (Order 139), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-828-990.
308-50-330	Purchaser recision rights. [Statutory Authority: RCW 18.35.161, 86-09-064 (Order PL 586), § 308-50-330, filed 4/17/86; Order PL 190, § 308-50-330, filed 5/23/75; Order PL 159, § 308-50-330, filed 2/8/74.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-290.	308-50-500	AIDS prevention and information education requirements. [Statutory Authority: 1988 c 206 § 604, 88-23-106 (Order PM 797), § 308-50-500, filed 11/22/88.] Decodified by 91-11-031 (Order 165B), filed 5/8/91, effective 6/8/91. Statutory Authority: RCW 18.35.161. Recodified as WAC 246-828-370.
		Chapter 308-51 MESSAGE PRACTITIONERS	
		308-51-010	Applications. [Statutory Authority: RCW 18.108.025, 88-11-011 (Order PM 725), § 308-51-010, filed 5/10/88. Statutory Authority: RCW 18.108.020 and 18.108.070, 85-01-043 (Order PL 501), § 308-51-010, filed 12/13/84. Statutory Authority: RCW 18.108.020, 81-11-005 (Order PL 379), § 308-51-010, filed 5/11/81; Order PL 255, § 308-51-010, filed 8/20/76; Order PL 231, § 308-51-010, filed 10/30/75.] Decodified by 91-01-077 (Order 102B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.108.025. Recodified as WAC 246-830-020.
		308-51-020	Licenses. [Statutory Authority: RCW 18.108.020 and 18.108.070, 85-01-043 (Order PL 501), § 308-51-020, filed 12/13/84; Order PL 255, § 308-51-020, filed 8/20/76; Order PL 231, § 308-51-020, filed 10/30/75.]

	Repealed by 88-11-011 (Order PM 725), filed 5/10/88. Statutory Authority: RCW 18.108.025.		
308-51-021	Reciprocity. [Statutory Authority: RCW 18.108.025. 88-19-048 (Order PM 770), § 308-51-021, filed 9/14/88.] Decodedified by 91-01-077 (Order 102B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.108.025. Recodified as WAC 246-830-030.	308-51-150	Massage business licensee reports. [Order PL 255, § 308-51-150, filed 8/20/76.] Repealed by 88-11-011 (Order PM 725), filed 5/10/88. Statutory Authority: RCW 18.108.025.
308-51-030	Massage licensing—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-51-030, filed 9/25/80; Order PL 255, § 308-51-030, filed 8/20/76; Order PL 231, § 308-51-030, filed 10/30/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-51-200.	308-51-190	Uniform Disciplinary Act. [Statutory Authority: 1984 c 279 § 48. 84-21-092 (Order PL 485), § 308-51-190, filed 10/19/84, effective 8/1/85.] Repealed by 85-19-037 (Order PL 554), filed 9/12/85. Statutory Authority: RCW 18.108.075.
308-51-040	Denial, suspension or revocation of license. [Order PL 231, § 308-51-040, filed 10/30/75.] Repealed by 88-11-011 (Order PM 725), filed 5/10/88. Statutory Authority: RCW 18.108.025.	308-51-200	Fees. [Statutory Authority: 1983 c 168 § 12. 83-22-060 (Order PL 446), § 308-51-200, filed 11/2/83; 83-17-031 (Order PL 442), § 308-51-200, filed 8/10/83. Formerly WAC 308-51-030.] Repealed by 87-18-031 (Order PM 667), filed 8/27/87. Statutory Authority: RCW 43.24.086.
308-51-050	Equipment and sanitation. [Statutory Authority: RCW 18.108.025. 88-11-011 (Order PM 725), § 308-51-050, filed 5/10/88; Order PL 231, § 308-51-050, filed 10/30/75.] Decodedified by 91-01-077 (Order 102B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.108.025. Recodified as WAC 246-830-040.	308-51-210	Massage fees. [Statutory Authority: RCW 43.24.086. 88-24-042 (Order PM 788), § 308-51-210, filed 12/6/88; 87-18-031 (Order PM 667), § 308-51-210, filed 8/27/87.] Decodedified by 91-02-049 (Order 121), file 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-830-990.
308-51-060	Facility standards. [Order PL 231, § 308-51-060, filed 10/30/75.] Repealed by 88-11-011 (Order PM 725), filed 5/10/88. Statutory Authority: RCW 18.108.025.	308-51-220	Reexamination for assurance of competency. [Statutory Authority: RCW 18.108.025. 88-11-011 (Order PM 725), § 308-51-220, filed 5/10/88.] Decodedified by 91-01-077 (Order 102B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.108.025. Recodified as WAC 246-830-270.
308-51-070	Communicable disease control. [Order PL 231, § 308-51-070, filed 10/30/75.] Repealed by 88-14-097 (Order PM 743), filed 7/6/88. Statutory Authority: RCW 18.108.025.	308-51-230	General provisions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-51-230, filed 6/30/89.] Decodedified by 91-02-049 (Order 121), file 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-830-610.
308-51-080	Inspection of massage premises. [Order PL 238, § 308-51-080, filed 2/9/76.] Repealed by 88-11-011 (Order PM 725), filed 5/10/88. Statutory Authority: RCW 18.108.025.	308-51-240	Mandatory reporting. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-51-240, filed 6/30/89.] Decodedified by 91-02-049 (Order 121), file 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-830-620.
308-51-100	Scope of examination. [Statutory Authority: RCW 18.108.025. 88-11-011 (Order PM 725), § 308-51-100, filed 5/10/88. Statutory Authority: RCW 18.108.020 and 18.108.070. 85-01-043 (Order PL 501), § 308-51-100, filed 12/13/84. Statutory Authority: RCW 18.108.-020. 80-01-018 (Order PL 329, Resolution No. 12/79), § 308-51-100, filed 12/13/79; Order PL 248, § 308-51-100, filed 5/25/76.] Decodedified by 91-01-077 (Order 102B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.108.025. Recodified as WAC 246-830-201.	308-51-250	Health care institutions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-51-250, filed 6/30/89.] Decodedified by 91-02-049 (Order 121), file 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-830-630.
308-51-110	Grading of examinations. [Statutory Authority: RCW 18.108.025. 88-11-011 (Order PM 725), § 308-51-110, filed 5/10/88. Statutory Authority: RCW 18.108.020 and 18.108.070. 85-01-043 (Order PL 501), § 308-51-110, filed 12/13/84. Statutory Authority: RCW 18.108.-020. 79-10-042 (Order 314, Resolution No. 9/79), § 308-51-110, filed 9/13/79; Order PL 248, § 308-51-110, filed 5/25/76.] Decodedified by 91-01-077 (Order 102B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.108.025. Recodified as WAC 246-830-220.	308-51-260	Massage practitioner associations or societies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-51-260, filed 6/30/89.] Decodedified by 91-02-049 (Order 121), file 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-830-640.
308-51-120	Frequency and location of examinations. [Statutory Authority: RCW 18.108.025. 90-13-005 (Order 053), § 308-51-120, filed 6/7/90, effective 7/8/90. Statutory Authority: RCW 18.108.020. 83-23-077 (Order PL 448), § 308-51-120, filed 11/18/83; 80-01-017 (Order PL 330, Resolution No. 12/79), § 308-51-120, filed 12/13/79; Order PL 248, § 308-51-120, filed 5/25/76.] Decodedified by 91-01-077 (Order 102B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.108.-025. Recodified as WAC 246-830-230.	308-51-270	Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-51-270, filed 6/30/89.] Decodedified by 91-02-049 (Order 121), file 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-830-650.
308-51-125	Examination appeal procedures. [Statutory Authority: RCW 18.108.025. 88-11-011 (Order PM 725), § 308-51-125, filed 5/10/88. Statutory Authority: RCW 18.108.020. 87-21-049 (Order PM 685), § 308-51-125, filed 10/15/87.] Decodedified by 91-01-077 (Order 102B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.108.025. Recodified as WAC 246-830-240.	308-51-280	Professional liability carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-51-280, filed 6/30/89.] Decodedified by 91-02-049 (Order 121), file 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-830-660.
308-51-130	Reexamination. [Statutory Authority: RCW 18.108.-025. 90-13-005 (Order 053), § 308-51-130, filed 6/7/90, effective 7/8/90. Statutory Authority: RCW 18.108.-020. 80-04-012 (Order PL 336), § 308-51-130, filed 3/10/80; Order PL 248, § 308-51-130, filed 5/25/76.] Decodedified by 91-01-077 (Order 102B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.108.-025. Recodified as WAC 246-830-250.	308-51-290	Courts. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-51-290, filed 6/30/89.] Decodedified by 91-02-049 (Order 121), file 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-830-670.
308-51-140	Special examination. [Statutory Authority: RCW 18.108.025. 88-19-048 (Order PM 770), § 308-51-140, filed 9/14/88; 88-11-011 (Order PM 725), § 308-51-	308-51-300	State and federal agencies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-51-300, filed 6/30/89.] Decodedified by 91-02-049 (Order 121), file 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-830-680.
		308-51-310	Cooperation with investigation. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-51-310, filed 6/30/89.] Decodedified by 91-02-049 (Order 121), file 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-830-690.
		308-51-320	AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 88-22-077 (Order PM 786), § 308-51-320, filed 11/2/88.] Decodedified by 91-02-049 (Order 121), file 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-830-050.

**Chapter 308-51A
EDUCATION**

- 308-51A-010 Definitions. [Statutory Authority: RCW 18.108.025. 88-13-038 (Order PM 739), § 308-51A-010, filed 6/9/88.] Decoded by 91-01-077 (Order 102B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.108.025. Recodified as WAC 246-830-410.
- 308-51A-020 Approval of school, program, or apprenticeship program. [Statutory Authority: RCW 18.108.025. 88-13-038 (Order PM 739), § 308-51A-020, filed 6/9/88.] Decoded by 91-01-077 (Order 102B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.108.-025. Recodified as WAC 246-830-420.
- 308-51A-030 Scope and purpose. [Statutory Authority: RCW 18.108.025. 88-13-038 (Order PM 739), § 308-51A-030, filed 6/9/88.] Decoded by 91-01-077 (Order 102B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.108.025. Recodified as WAC 246-830-401.
- 308-51A-040 Training. [Statutory Authority: RCW 18.108.025. 88-13-038 (Order PM 739), § 308-51A-040, filed 6/9/88.] Decoded by 91-01-077 (Order 102B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.108.-025. Recodified as WAC 246-830-430.
- 308-51A-050 Curriculum—Academic standards—Faculty—Student clinic. [Statutory Authority: RCW 18.108.025. 88-13-038 (Order PM 739), § 308-51A-050, filed 6/9/88.] Decoded by 91-01-077 (Order 102B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.108.-025. Recodified as WAC 246-830-440.
- 308-51A-060 Health, sanitation, and facility standards. [Statutory Authority: RCW 18.108.025. 88-13-038 (Order PM 739), § 308-51A-060, filed 6/9/88.] Decoded by 91-01-077 (Order 102B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.108.025. Recodified as WAC 246-830-450.

**Chapter 308-52
MEDICAL EXAMINERS**

- 308-52-010 Board meetings. [Order PL 136, § 308-52-010, filed 11/16/72; Rules (part), filed 12/18/63.] Decoded by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-020.
- 308-52-020 Requirement for processing reciprocal applications. [Rules (part), filed 12/18/63.] Repealed by 81-03-079 (Order PL 369), filed 1/21/81. Statutory Authority: RCW 18.71.017.
- 308-52-030 Examinations. [Order PL 136, § 308-52-030, filed 11/16/72; Rules (part), filed 12/18/63.] Decoded by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-080.
- 308-52-040 Foreign medical graduates. [Statutory Authority: RCW 18.71.017. 81-03-079 (Order PL 369), § 308-52-040, filed 1/21/81; Order PL 240, § 308-52-040, filed 2/19/76; Order PL 183, § 308-52-040, filed 2/10/75; Order PL 136, § 308-52-040, filed 11/16/72; Rules (part), filed 12/18/63.] Decoded by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-050.
- 308-52-050 Failure in more than one subject. [Order PL 136, § 308-52-050, filed 11/16/72; Rules (part), filed 12/18/63.] Repealed by 78-04-028 (Order PL 284, Resolution No. 78-139), filed 3/14/78. Statutory Authority: RCW 18.71.017.
- 308-52-100 Applications for examination. [Statutory Authority: RCW 18.71.017 and 18.72.070. 90-05-001 (Order 031), § 308-52-100, filed 2/8/90, effective 3/11/90. Statutory Authority: RCW 18.71.017. 84-15-068 (Order PL 473), § 308-52-100, filed 7/18/84; Order PL 136, § 308-52-100, filed 11/16/72; Rules (part), filed 1/12/65.] Decoded by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-090.
- 308-52-110 Reciprocity or waiver applications for license. [Order PL 136, § 308-52-110, filed 11/16/72; Rules (part), filed 1/12/65.] Repealed by 81-03-079 (Order PL 369), filed 1/21/81. Statutory Authority: RCW 18.71.017.
- 308-52-120 Approved United States and Canadian medical schools. [Statutory Authority: RCW 18.71.017. 81-03-079 (Order PL 369), § 308-52-120, filed 1/21/81; Order PL-

278, § 308-52-120, filed 11/16/77.] Decoded by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-030.

- 308-52-130 Physicians' assistants. [Order PL 275, § 308-52-130, filed 10/12/77; Order PL 180, § 308-52-130, filed 12/3/74; Order PL 167, § 308-52-130, filed 4/17/74; Order PL 114, § 308-52-130, filed 10/13/71.] Repealed by 79-06-055 (Order PL 301), filed 5/22/79. Statutory Authority: RCW 18.71A.020.
- 308-52-132 Emergency narcotic administration. [Statutory Authority: RCW 18.71A.020. 81-03-078 (Order PL 368), § 308-52-132, filed 1/21/81.] Decoded by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-040.
- 308-52-135 Physician assistant prescriptions. [Statutory Authority: RCW 18.71A.020. 86-12-031 (Order PM 599), § 308-52-135, filed 5/29/86; 83-07-014 (Order PL 428), § 308-52-135, filed 3/10/83; 82-03-022 (Order PL 390), § 308-52-135, filed 1/14/82; 79-10-041 (Order PL 317), § 308-52-135, filed 9/13/79; Order PL 264, § 308-52-135, filed 3/15/77.] Decoded by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-030.
- 308-52-136 Physicians' assistants—Scope of jurisdiction. [Statutory Authority: RCW 18.71A.020. 78-04-029 (Order PL 285, Resolution No. 78-140), § 308-52-136, filed 3/14/78.] Decoded by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-020.
- 308-52-137 Physicians' assistants—Classification. [Statutory Authority: RCW 18.71A.020. 78-04-029 (Order PL 285, Resolution No. 78-140), § 308-52-137, filed 3/14/78.] Repealed by 81-03-078 (Order PL 368), filed 1/21/81. Statutory Authority: RCW 18.71A.020.
- 308-52-138 Physician assistants—Program approval. [Statutory Authority: RCW 18.71A.020. 88-06-008 (Order PM 706), § 308-52-138, filed 2/23/88; 85-03-083 (Order PL 507), § 308-52-138, filed 1/18/85; 83-03-031 (Order PL 421), § 308-52-138, filed 1/14/83; 81-03-078 (Order PL 368), § 308-52-138, filed 1/21/81; 78-04-029 (Order PL 285, Resolution No. 78-140), § 308-52-138, filed 3/14/78.] Decoded by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-060.
- 308-52-139 Physician assistant—Registration. [Statutory Authority: RCW 18.71A.020. 89-06-077 (Order PM 822), § 308-52-139, filed 3/1/89. Statutory Authority: RCW 18.71.017 and 18.71A.020. 88-21-047 (Order PM 782), § 308-52-139, filed 10/13/88. Statutory Authority: RCW 18.71A.020. 88-06-008 (Order PM 706), § 308-52-139, filed 2/23/88; 86-12-031 (Order PM 599), § 308-52-139, filed 5/29/86; 82-24-013 (Order PL 412), § 308-52-139, filed 11/19/82; 81-03-078 (Order PL 368), § 308-52-139, filed 1/21/81; 80-15-031 (Order PL-353), § 308-52-139, filed 10/8/80; 78-04-029 (Order PL 285, Resolution No. 78-140), § 308-52-139, filed 3/14/78.] Decoded by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-080.
- 308-52-140 Physician assistant—Utilization. [Statutory Authority: RCW 18.71A.020. 88-06-008 (Order PM 706), § 308-52-140, filed 2/23/88; 86-16-054 (Order PM 609), § 308-52-140, filed 8/1/86; 86-12-031 (Order PM 599), § 308-52-140, filed 5/29/86; 83-07-014 (Order PL 428), § 308-52-140, filed 3/10/83; 82-24-013 (Order PL 412), § 308-52-140, filed 11/19/82; 82-03-022 (Order PL 390), § 308-52-140, filed 1/14/82; 81-03-078 (Order PL 368), § 308-52-140, filed 1/21/81; 78-04-029 (Order PL 285, Resolution No. 78-140), § 308-52-140, filed 3/14/78.] Decoded by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-090.
- 308-52-141 Physician assistants—Responsibility of supervising physician. [Statutory Authority: RCW 18.71A.020. 86-12-031 (Order PM 599), § 308-52-141, filed 5/29/86; 81-03-078 (Order PL 368), § 308-52-141, filed 1/21/81; 78-04-029 (Order PL 285, Resolution No. 78-140), § 308-52-141, filed 3/14/78.] Decoded by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-100.

308-52-142	Physicians' assistants—Registration fee. [Statutory Authority: RCW 18.71A.020. 78-04-029 (Order PL 285, Resolution No. 78-140), § 308-52-142, filed 3/14/78.] Repealed by 86-12-031 (Order PM 599), filed 5/29/86. Statutory Authority: RCW 18.71A.020.	308-52-210	National board of medical examiners. [Order PL 110, § 308-52-210, filed 10/13/71.] Repealed by 79-10-040 (Order PL 316), filed 9/13/79. Statutory Authority: RCW 18.71.017.
308-52-143	Physicians' assistants—Reregistration fee. [Statutory Authority: RCW 18.71A.020. 78-04-029 (Order PL 285, Resolution No. 78-140), § 308-52-143, filed 3/14/78.] Repealed by 86-12-031 (Order PM 599), filed 5/29/86. Statutory Authority: RCW 18.71A.020.	308-52-211	Continuing medical education clock hour credit requirement. [Statutory Authority: RCW 18.71A.020. 81-03-078 (Order PL 368), § 308-52-211, filed 1/21/81.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-200.
308-52-144	Physicians' assistants—Simultaneous registration of Type C assistants. [Statutory Authority: RCW 18.71A.020. 78-04-029 (Order PL 285, Resolution No. 78-140), § 308-52-144, filed 3/14/78.] Repealed by 81-03-078 (Order PL 368), filed 1/21/81. Statutory Authority: RCW 18.71A.020.	308-52-215	Prior activity approval not required. [Statutory Authority: RCW 18.71A.020. 81-03-078 (Order PL 368), § 308-52-215, filed 1/21/81.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-210.
308-52-145	Birthday renewal registration implementation. [Statutory Authority: RCW 18.71A.020. 80-15-031 (Order PL-353), § 308-52-145, filed 10/8/80.] Repealed by 86-12-031 (Order PM 599), filed 5/29/86. Statutory Authority: RCW 18.71A.020.	308-52-220	State board reciprocity. [Order PL 110, § 308-52-220, filed 10/13/71.] Repealed by 79-10-040 (Order PL 316), filed 9/13/79. Statutory Authority: RCW 18.71.017.
308-52-146	Termination of supervision. [Statutory Authority: RCW 18.71A.020. 86-24-068 (Order PM 627), § 308-52-146, filed 12/3/86.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-110.	308-52-221	Certification of compliance. [Statutory Authority: RCW 18.71A.020. 81-03-078 (Order PL 368), § 308-52-221, filed 1/21/81.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-220.
308-52-147	Remote site—Utilization—Limitations, geographic. [Statutory Authority: RCW 18.71A.020. 88-06-008 (Order PM 706), § 308-52-147, filed 2/23/88.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-120.	308-52-230	Washington state basic science examination. [Order 146, § 308-52-230, filed 8/16/73; Order PL 110, § 308-52-230, filed 10/13/71.] Repealed by 79-10-040 (Order PL 316), filed 9/13/79. Statutory Authority: RCW 18.71.017.
308-52-148	Noncertified physician assistants. [Statutory Authority: RCW 18.71A.020. 88-06-008 (Order PM 706), § 308-52-148, filed 2/23/88.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-130.	308-52-240	Applications filed prior to January 1, 1970. [Order PL 110, § 308-52-240, filed 10/13/71.] Repealed by 79-10-040 (Order PL 316), filed 9/13/79. Statutory Authority: RCW 18.71.017.
308-52-149	Certified physician assistants. [Statutory Authority: RCW 18.71A.020. 88-06-008 (Order PM 706), § 308-52-149, filed 2/23/88.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-140.	308-52-250	Internship defined. [Order 146, § 308-52-250, filed 8/16/73.] Repealed by 81-03-079 (Order PL 369), filed 1/21/81. Statutory Authority: RCW 18.71.017.
308-52-150	Assistance or consultation with other physicians. [Statutory Authority: RCW 18.71A.020. 83-03-031 (Order PL 421), § 308-52-150, filed 1/14/83.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-150.	308-52-255	Postgraduate medical training defined. [Statutory Authority: RCW 18.71.017. 89-12-053 (Order PM 849), § 308-52-255, filed 6/5/89; 85-11-048 (Order PL 530), § 308-52-255, filed 5/16/85; 84-19-021 (Order PL 481), § 308-52-255, filed 9/12/84; 84-15-068 (Order PL 473), § 308-52-255, filed 7/18/84; 81-03-079 (Order PL 369), § 308-52-255, filed 1/21/81.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-040.
308-52-160	Physician assistant applications—Denial. [Statutory Authority: RCW 18.71A.020. 82-24-013 (Order PL 412), § 308-52-160, filed 11/19/82.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-160.	308-52-260	Examination scores. [Statutory Authority: RCW 18.71.017 and 18.17.070 [18.71.070]. 90-18-009 (Order 083), § 308-52-260, filed 8/24/90, effective 9/24/90. Statutory Authority: RCW 18.71.017. 89-06-077 (Order PM 822), § 308-52-260, filed 3/1/89; 85-03-084 (Order PL 508), § 308-52-260, filed 1/18/85; 79-06-063 (Order PL 304), § 308-52-260, filed 5/23/79; 78-04-028 (Order PL 284, Resolution No. 78-139), § 308-52-260, filed 3/14/78; Order PL 240, § 308-52-260, filed 2/19/76.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-100.
308-52-165	Physician assistant qualifications effective January 1, 1990. [Statutory Authority: RCW 18.71A.020. 89-20-023, § 308-52-165, filed 9/27/89, effective 10/28/89.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-050.	308-52-265	FLEX examination standards. [Statutory Authority: RCW 18.71.017. 89-12-053 (Order PM 849), § 308-52-265, filed 6/5/89.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-110.
308-52-190	Physician assistant AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 89-08-063 (Order PM 831), § 308-52-190, filed 4/3/89.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-170.	308-52-270	Examinations accepted for reciprocity or waiver. [Statutory Authority: RCW 18.71.017. 86-03-056 (Order PL 577), § 308-52-270, filed 1/15/86; 85-03-084 (Order PL 508), § 308-52-270, filed 1/18/85; 78-04-028 (Order PL 284, Resolution No. 78-139), § 308-52-270, filed 3/14/78; Order PL 268, § 308-52-270, filed 5/11/77; Order PL 240, § 308-52-270, filed 2/19/76.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-120.
308-52-200	Definitions. [Order PL 110, § 308-52-200, filed 10/13/71.] Repealed by 79-10-040 (Order PL 316), filed 9/13/79. Statutory Authority: RCW 18.71.017.	308-52-300	License renewal registration fee. [Order PL 163, § 308-52-300, filed 3/18/74.] Repealed by Order PL 209, filed 11/5/75.
308-52-201	General continuing medical education requirements. [Statutory Authority: RCW 18.71A.020. 82-03-022 (Order PL 390), § 308-52-201, filed 1/14/82; 81-03-078 (Order PL 368), § 308-52-201, filed 1/21/81.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-180.	308-52-310	Physician—Fees. [Statutory Authority: RCW 43.24.-085. 80-14-022 (Order 356), § 308-52-310, filed 9/25/80; Order PL 209, § 308-52-310, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-52-315.
308-52-205	Categories of creditable continuing medical education activities. [Statutory Authority: RCW 18.71A.020. 81-03-078 (Order PL 368), § 308-52-205, filed 1/21/81.] Decodified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-190.		

308-52-315	Fees. [Statutory Authority: 1983 c 168 § 12. 83-22-060 (Order PL 446), § 308-52-315, filed 11/2/83; 83-17-031 (Order PL 442), § 308-52-315, filed 8/10/83. Formerly WAC 308-52-310.] Repealed by 87-10-028 (Order PM 650), filed 5/1/87. Statutory Authority: RCW 43.24-086.	308-52-510	301), § 308-52-510, filed 5/22/79.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-320.
308-52-320	License renewal registration date and fee. [Order PL 242, § 308-52-320, filed 3/15/76.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-130.	308-52-515	Acupuncture examination review procedures. [Statutory Authority: RCW 18.71A.020. 86-16-054 (Order PM 609), § 308-52-515, filed 8/1/86.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-330.
308-52-400	Scope. [Order PL 247, § 308-52-400, filed 5/17/76.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-140.	308-52-520	Acupuncture experience. [Statutory Authority: RCW 18.71A.020. 79-06-055 (Order PL 301), § 308-52-520, filed 5/22/79.] Repealed by 83-07-014 (Order PL 428), filed 3/10/83. Statutory Authority: RCW 18.71A.020.
308-52-405	General requirements. [Statutory Authority: RCW 18.71.017. 89-12-053 (Order PM 849), § 308-52-405, filed 6/5/89. Statutory Authority: RCW 18.71.080 and 18.71A.020. 85-23-043 (Order PL 565), § 308-52-405, filed 11/18/85. Statutory Authority: RCW 18.71.017. 79-06-063 (Order PL 304), § 308-52-405, filed 5/23/79; Order PL 247, § 308-52-405, filed 5/17/76.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-150.	308-52-530	Investigation. [Statutory Authority: RCW 18.71A.020. 79-06-055 (Order PL 301), § 308-52-530, filed 5/22/79.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-340.
308-52-406	CME requirements during cycle revision. [Statutory Authority: RCW 18.71.080 and 18.71A.020. 85-23-043 (Order PL 565), § 308-52-406, filed 11/18/85. Statutory Authority: RCW 18.71.080. 81-23-051 (Order PL 386), § 308-52-406, filed 11/18/81.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-160.	308-52-540	English fluency. [Statutory Authority: RCW 18.71A.020. 79-06-055 (Order PL 301), § 308-52-540, filed 5/22/79.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-350.
308-52-410	Categories of creditable continuing medical education activities. [Statutory Authority: RCW 18.71.080 and 18.71A.020. 85-23-043 (Order PL 565), § 308-52-410, filed 11/18/85; Order PL 247, § 308-52-410, filed 5/17/76.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-170.	308-52-550	Supervising physicians' knowledge of acupuncture. [Statutory Authority: RCW 18.71A.020. 79-06-055 (Order PL 301), § 308-52-550, filed 5/22/79.] Repealed by 83-07-014 (Order PL 428), filed 3/10/83. Statutory Authority: RCW 18.71A.020.
308-52-415	Continuing medical education requirement. [Statutory Authority: RCW 18.71.017. 89-12-053 (Order PM 849), § 308-52-415, filed 6/5/89. Statutory Authority: RCW 18.71.080 and 18.71A.020. 85-23-043 (Order PL 565), § 308-52-415, filed 11/18/85; Order PL 247, § 308-52-415, filed 5/17/76.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-180.	308-52-560	Acupuncture assistant utilization. [Statutory Authority: RCW 18.71A.020. 79-06-055 (Order PL 301), § 308-52-560, filed 5/22/79.] Repealed by 83-07-014 (Order PL 428), filed 3/10/83. Statutory Authority: RCW 18.71A.020.
308-52-420	Approval not required. [Order PL 247, § 308-52-420, filed 5/17/76.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-190.	308-52-570	X-rays and laboratory tests. [Statutory Authority: RCW 18.71A.020. 82-24-013 (Order PL 412), § 308-52-570, filed 11/19/82; 79-06-055 (Order PL 301), § 308-52-570, filed 5/22/79.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-360.
308-52-425	Certification of compliance. [Order PL 247, § 308-52-425, filed 5/17/76.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-200.	308-52-580	Ethical considerations. [Statutory Authority: RCW 18.71A.020. 82-24-013 (Order PL 412), § 308-52-580, filed 11/19/82; 79-06-055 (Order PL 301), § 308-52-580, filed 5/22/79.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-370.
308-52-500	Acupuncture assistant education. [Statutory Authority: RCW 18.71.080 and 18.71A.020. 85-23-043 (Order PL 565), § 308-52-500, filed 11/18/85. Statutory Authority: RCW 18.71A.020. 83-07-014 (Order PL 428), § 308-52-500, filed 3/10/83; 79-06-055 (Order PL 301), § 308-52-500, filed 5/22/79.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-290.	308-52-590	Physician and surgeon fees. [Statutory Authority: RCW 43.70.250. 90-18-039 (Order 084), § 308-52-590, filed 8/29/90, effective 9/29/90. Statutory Authority: RCW 18.72.306 as amended by 1989 c 119. 89-18-037 (Order PM 854), § 308-52-590, filed 8/29/89, effective 9/29/89. Statutory Authority: 1987 c 416 § 2. 87-19-130 (Order PM 680), § 308-52-590, filed 9/22/87. Statutory Authority: RCW 43.24.086. 87-10-028 (Order PM 650), § 308-52-590, filed 5/1/87.] Repealed by 91-06-027 (Order 131), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 43.70.040.
308-52-502	Acupuncture—Program approval. [Statutory Authority: RCW 18.71A.020. 86-16-054 (Order PM 609), § 308-52-502, filed 8/1/86; 83-07-014 (Order PL 428), § 308-52-502, filed 3/10/83.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-300.	308-52-600	Credentialing of physician and surgeons. [Statutory Authority: RCW 18.71.017 and 18.71A.020. 88-21-047 (Order PM 782), § 308-52-600, filed 10/13/88.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-070.
308-52-504	Acupuncture—Definition. [Statutory Authority: RCW 18.71A.020. 83-07-014 (Order PL 428), § 308-52-504, filed 3/10/83; 82-24-013 (Order PL 412), § 308-52-504, filed 11/19/82.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-310.	308-52-610	Credentialing of physician assistants. [Statutory Authority: RCW 18.71.017 and 18.71A.020. 88-21-047 (Order PM 782), § 308-52-610, filed 10/13/88.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-070.
308-52-510	Acupuncture equivalency examination. [Statutory Authority: RCW 18.71.080 and 18.71A.020. 85-23-043 (Order PL 565), § 308-52-510, filed 11/18/85. Statutory Authority: RCW 18.71A.020. 79-06-055 (Order PL	308-52-620	AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 89-06-076 (Order PM 821), § 308-52-620, filed 3/1/89.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-917-060.
		308-52-630	Practice of medicine—Surgical procedures. [Statutory Authority: RCW 18.71A.020. 89-13-002 (Order PM 850), § 308-52-630, filed 6/8/89, effective 9/30/89.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-230.

- 308-52-640 Noncertified physician assistant-surgical assistant. [Statutory Authority: RCW 18.71A.020. 89-13-002 (Order PM 850), § 308-52-640, filed 6/8/89, effective 9/30/89.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-240.
- 308-52-650 Basic surgical assistant duties. [Statutory Authority: RCW 18.71A.020. 89-13-002 (Order PM 850), § 308-52-650, filed 6/8/89, effective 9/30/89.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-250.
- 308-52-660 Surgical assistant—Utilization and supervision. [Statutory Authority: RCW 18.71A.020. 89-13-002 (Order PM 850), § 308-52-660, filed 6/8/89, effective 9/30/89.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.-017. Recodified as WAC 246-918-260.
- 308-52-670 Surgical assistant qualifications effective January 1, 1990. [Statutory Authority: RCW 18.71A.020. 89-13-002 (Order PM 850), § 308-52-670, filed 6/8/89, effective 9/30/89.] Repealed by 89-20-023, filed 9/27/89, effective 10/28/89. Statutory Authority: RCW 18.71A.020.
- 308-52-680 Major surgical procedures. [Statutory Authority: RCW 18.71A.020. 89-20-023, § 308-52-680, filed 9/27/89, effective 10/28/89.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.017. Recodified as WAC 246-918-270.
- 308-52-690 Surgical assistant program requirements reconsideration. [Statutory Authority: RCW 18.71A.020. 89-20-023, § 308-52-690, filed 9/27/89, effective 10/28/89.] Decodedified by 91-06-030 (Order 147B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71.-017. Recodified as WAC 246-918-280.
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OPTOMETRY—ANNUAL LICENSE OR
REGISTRATION RENEWAL FEE
- 308-53-010 Renewal of licenses. [Statutory Authority: RCW 18.54.070. 88-07-047 (Order PM 710), § 308-53-010, filed 3/11/88; Order PL 239, § 308-53-010, filed 3/3/76; Order 228, § 308-53-010, filed 11/6/75; Order PL 173, § 308-53-010, filed 8/22/74.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-020.
- 308-53-020 Optometry fees. [Statutory Authority: RCW 43.24.086. 87-10-028 (Order PM 650), § 308-53-020, filed 5/1/87. Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-53-020, filed 8/10/83. Formerly WAC 308-53-310.] Decodedified by 91-06-028 (Order 137), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-851-990.
- 308-53-030 Temporary permit policy recommendation. [Statutory Authority: RCW 18.54.070. 88-07-047 (Order PM 710), § 308-53-030, filed 3/11/88. Statutory Authority: RCW 18.54.070(5). 84-09-082 (Order PL 465), § 308-53-030, filed 4/18/84; 78-02-030 (Order PL 281), § 308-53-030, filed 1/17/78.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-030.
- 308-53-070 Approval of schools and colleges of optometry. [Statutory Authority: RCW 18.54.070. 86-13-009 (Resolution No. PM 597), § 308-53-070, filed 6/5/86. Statutory Authority: RCW 18.54.070(5). 78-02-030 (Order PL 281), § 308-53-070, filed 1/17/78.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-040.
- 308-53-075 Examination eligibility. [Statutory Authority: RCW 18.54.070. 90-11-080 (Order 056), § 308-53-075, filed 5/16/90, effective 6/16/90. Statutory Authority: RCW 18.54.070(5). 86-13-008 (Order PM 598), § 308-53-075, filed 6/5/86.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-050.
- 308-53-080 Examination subjects. [Statutory Authority: RCW 18.54.070(5). 83-10-052 (Order PL 433), § 308-53-080, filed 5/3/83; 82-12-077 (Order PL 399), § 308-53-080, filed 6/2/82; 80-01-088 (Order PL 326), § 308-53-080,

filed 12/28/79.] Repealed by 86-13-008 (Order PM 598), filed 6/5/86. Statutory Authority: RCW 18.54.-070(5).

- 308-53-084 Examination subjects. [Statutory Authority: RCW 18.54.070. 90-11-080 (Order 056), § 308-53-084, filed 5/16/90, effective 6/16/90. Statutory Authority: RCW 18.54.070(5). 87-09-046 (Order PM 646), § 308-53-084, filed 4/14/87; 86-13-008 (Order PM 598), § 308-53-084, filed 6/5/86.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-060.
- 308-53-085 Grading examinations. [Statutory Authority: RCW 18.54.070. 90-11-080 (Order 056), § 308-53-085, filed 5/16/90, effective 6/16/90. Statutory Authority: RCW 18.54.070(5). 87-09-046 (Order PM 646), § 308-53-085, filed 4/14/87; 86-13-008 (Order PM 598), § 308-53-085, filed 6/5/86; 84-09-082 (Order PL 465), § 308-53-085, filed 4/18/84; 83-10-052 (Order PL 433), § 308-53-085, filed 5/3/83; 82-12-077 (Order PL 399), § 308-53-085, filed 6/2/82.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-070.
- 308-53-100 Continuing education requirement. [Statutory Authority: RCW 18.54.070. 88-07-047 (Order PM 710), § 308-53-100, filed 3/11/88. Statutory Authority: RCW 18.54.070(5). 80-01-088 (Order PL 326), § 308-53-100, filed 12/28/79; Order PL 239, § 308-53-100, filed 3/3/76.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-090.
- 308-53-110 Credit hour defined. [Order PL 239, § 308-53-110, filed 3/3/76.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-100.
- 308-53-120 Courses presumed to qualify for credit. [Statutory Authority: RCW 18.54.070(2). 89-10-030 (Order PM 839), § 308-53-120, filed 4/27/89. Statutory Authority: RCW 18.54.070. 88-07-047 (Order PM 710), § 308-53-120, filed 3/11/88. Statutory Authority: RCW 18.54.-070(5). 84-09-082 (Order PL 465), § 308-53-120, filed 4/18/84; Order PL 239, § 308-53-120, filed 3/3/76.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.-070. Recodified as WAC 246-851-110.
- 308-53-123 Credit for classes. [Statutory Authority: RCW 18.54.-070(2). 89-10-030 (Order PM 839), § 308-53-123, filed 4/27/89.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-120.
- 308-53-125 Post-graduate educational program. [Statutory Authority: RCW 18.54.070(2). 89-10-030 (Order PM 839), § 308-53-125, filed 4/27/89. Statutory Authority: RCW 18.54.070(5). 80-01-088 (Order PL 326), § 308-53-125, filed 12/28/79.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-130.
- 308-53-130 Courses not presumed to qualify. [Statutory Authority: RCW 18.54.070(5). 81-06-012 (Order PL 367), § 308-53-130, filed 2/20/81; Order PL 239, § 308-53-130, filed 3/3/76.] Repealed by 89-10-030 (Order PM 839), filed 4/27/89. Statutory Authority: RCW 18.54.070(2).
- 308-53-135 Credit for admission to optometric organizations and participation in patient care reviews. [Statutory Authority: RCW 18.54.070(2). 89-10-030 (Order PM 839), § 308-53-135, filed 4/27/89. Statutory Authority: RCW 18.54.070(5). 80-01-088 (Order PL 326), § 308-53-135, filed 12/28/79.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-140.
- 308-53-140 Credit for individual study, publications, and small-group study. [Order PL 239, § 308-53-140, filed 3/3/76.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-150.
- 308-53-145 Credit for reports. [Statutory Authority: RCW 18.54.-070(2). 89-10-030 (Order PM 839), § 308-53-145, filed 4/27/89. Statutory Authority: RCW 18.54.070. 88-07-047 (Order PM 710), § 308-53-145, filed 3/11/88. Statutory Authority: RCW 18.54.070(5). 80-04-054 (Order PL 331), § 308-53-145, filed 3/21/80.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective

	3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-160.		025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-270.
308-53-146	Credit for preprogrammed educational materials. [Statutory Authority: RCW 18.54.070(2). 89-10-030 (Order PM 839), § 308-53-146, filed 4/27/89. Statutory Authority: RCW 18.54.070(5). 80-04-054 (Order PL 331), § 308-53-146, filed 3/21/80.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-170.	308-53-211	Minimum contact lens prescription. [Statutory Authority: RCW 18.54.070(5). 84-16-087 (Order PL 475), § 308-53-211, filed 8/1/84.] Repealed by 85-04-055 (Order PL 516), filed 2/5/85. Statutory Authority: RCW 18.54.070(5).
308-53-150	Credit for lecturing. [Statutory Authority: RCW 18.54.070(2). 89-10-030 (Order PM 839), § 308-53-150, filed 4/27/89; Order PL 239, § 308-53-150, filed 3/3/76.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-180.	308-53-212	Minimum information for release of contact lens prescriptions. [Statutory Authority: RCW 18.54.070(5). 86-13-008 (Order PM 598), § 308-53-212, filed 6/5/86.] Repealed by 87-01-099 (Order PM 629), filed 12/22/86.
308-53-151	Credit for CPR training. [Statutory Authority: RCW 18.54.070(2). 89-10-030 (Order PM 839), § 308-53-151, filed 4/27/89. Statutory Authority: RCW 18.54.070(5). 82-12-077 (Order PL 399), § 308-53-151, filed 6/2/82.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-190.	308-53-215	Contact lens advertising. [Statutory Authority: RCW 18.54.070(5). 81-06-012 (Order PL 367), § 308-53-215, filed 2/20/81.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-280.
308-53-155	Dual acceptance of continuing education credits. [Order PL 256, § 308-53-155, filed 9/13/76.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-200.	308-53-220	Maintenance of records. [Order PL 256, § 308-53-220, filed 9/13/76.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-290.
308-53-160	Recordation of credit. [Statutory Authority: RCW 18.54.070(5). 78-02-030 (Order PL 281), § 308-53-160, filed 1/17/78; Order PL 239, § 308-53-160, filed 3/3/76.] Repealed by 85-16-054 (Order PL 545), filed 7/31/85. Statutory Authority: RCW 18.54.070(5) and 18.54.075.	308-53-230	Renting space from and practicing on premises of commercial (mercantile) concern. [Statutory Authority: RCW 18.54.070(5). 81-06-012 (Order PL 367), § 308-53-230, filed 2/20/81; 78-02-030 (Order PL 281), § 308-53-230, filed 1/17/78; Order PL-271, § 308-53-230, filed 7/25/77.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-300.
308-53-165	Certification for continuing education courses. [Statutory Authority: RCW 18.54.070(2). 89-10-030 (Order PM 839), § 308-53-165, filed 4/27/89. Statutory Authority: RCW 18.54.070(5) and 18.54.075. 85-16-054 (Order PL 545), § 308-53-165, filed 7/31/85. Statutory Authority: RCW 18.54.070(5). 80-01-088 (Order PL 326), § 308-53-165, filed 12/28/79.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-210.	308-53-235	Proper identification of licensees. [Statutory Authority: RCW 18.54.070(5). 78-02-030 (Order PL 281), § 308-53-235, filed 1/17/78.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-310.
308-53-170	Surplus credit hours. [Statutory Authority: RCW 18.54.070(2). 89-10-030 (Order PM 839), § 308-53-170, filed 4/27/89. Statutory Authority: RCW 18.54.070. 88-07-047 (Order PM 710), § 308-53-170, filed 3/11/88; Order PL 239, § 308-53-170, filed 3/3/76.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-220.	308-53-240	Doctor of optometry presumed responsible for advertisements. [Order PL-271, § 308-53-240, filed 7/25/77.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-320.
308-53-175	Credits for practice management. [Statutory Authority: RCW 18.54.070(2). 89-10-030 (Order PM 839), § 308-53-175, filed 4/27/89.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-230.	308-53-245	Misleading titles or degrees. [Statutory Authority: RCW 18.54.070(5). 80-01-088 (Order PL 326), § 308-53-245, filed 12/28/79.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-330.
308-53-180	Discretionary exception for emergency situation. [Statutory Authority: RCW 18.54.070(2). 89-10-030 (Order PM 839), § 308-53-180, filed 4/27/89; Order PL 239, § 308-53-180, filed 3/3/76.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-240.	308-53-250	Transmittal of patient information and records. [Order PL-271, § 308-53-250, filed 7/25/77.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-340.
308-53-190	Exemption of retired doctors of optometry from continuing education requirement. [Order PL-271, § 308-53-190, filed 7/25/77.] Repealed by 84-09-082 (Order PL 465), filed 4/18/84. Statutory Authority: RCW 18.54.070(5).	308-53-260	Improper professional relationship. [Statutory Authority: RCW 18.54.070(5). 78-02-030 (Order PL 281), § 308-53-260, filed 1/17/78.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-350.
308-53-200	Minimum equipment requirements. [Statutory Authority: RCW 18.54.070. 89-01-087 (Order 812), § 308-53-200, filed 12/21/88, effective 1/1/90; Order PL 256, § 308-53-200, filed 9/13/76.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-250.	308-53-265	Required identification on prescriptions. [Statutory Authority: RCW 18.54.070(5). 86-13-008 (Order PM 598), § 308-53-265, filed 6/5/86.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-360.
308-53-205	Mobile optometric units. [Statutory Authority: RCW 18.54.070(5). 78-02-030 (Order PL 281), § 308-53-205, filed 1/17/78.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-260.	308-53-270	Employed doctors of optometry, franchises and equipment use agreements. [Statutory Authority: RCW 18.54.070(5) and 18.54.075. 85-16-054 (Order PL 545), § 308-53-270, filed 7/31/85. Statutory Authority: RCW 18.54.070(5). 80-01-088 (Order PL 326), § 308-53-270, filed 12/28/79.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-370.
308-53-210	Retention of minimum contact lens records. [Order PL 256, § 308-53-210, filed 9/13/76.] Decodified by 91-06-	308-53-275	Practice under another optometrist's name. [Statutory Authority: RCW 18.54.070(5). 80-01-088 (Order PL 326), § 308-53-275, filed 12/28/79.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-380.
		308-53-280	Practice under trade name. [Statutory Authority: RCW 18.54.070(5). 80-04-054 (Order PL 331), § 308-53-280, filed 3/21/80.] Decodified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-390.
		308-53-290	Uniform Disciplinary Act. [Statutory Authority: RCW 18.54.075 and 18.54.070(5). 85-05-009 (Order PL 519),

	§ 308-53-290, filed 2/11/85.] Repealed by 85-16-054 (Order PL 545), filed 7/31/85. Statutory Authority: RCW 18.54.070(5) and 18.54.075.	308-54-080	Application for examination. [Statutory Authority: RCW 18.52.100(14). 87-02-008 (Order PM 633), § 308-54-080, filed 12/29/86; Order PL 107, § 308-54-080, filed 3/3/71.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-080.
308-53-300	Registration renewal fee. [Order PL-163, § 308-53-300, filed 3/18/74.] Repealed by Order PL 228, filed 11/6/75.	308-54-090	Preexamination requirements. [Statutory Authority: RCW 18.52.100(14). 87-02-008 (Order PM 633), § 308-54-090, filed 12/29/86; Order PL 260, § 308-54-090, filed 12/10/76; Order PL 164, § 308-54-090, filed 3/27/74, effective 1/1/75; Order PL 107, § 308-54-090, filed 3/3/71.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-090.
308-53-310	Optometry—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-53-310, filed 9/25/80; Order PL 228, § 308-53-310, filed 11/6/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-53-020.	308-54-095	Preceptors for administrator-in-training programs. [Statutory Authority: RCW 18.52.100(14). 87-02-008 (Order PM 633), § 308-54-095, filed 12/29/86. Statutory Authority: RCW 18.52.100 (2) and (14). 78-02-009 (Order PL 282), § 308-54-095, filed 1/6/78.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-095.
308-53-320	Examination appeal procedures. [Statutory Authority: RCW 18.54.070. 87-17-020 (Order PM 666), § 308-53-320, filed 8/12/87.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-080.	308-54-100	Disqualification—Reexamination. [Statutory Authority: RCW 18.52.100(14). 87-02-008 (Order PM 633), § 308-54-100, filed 12/29/86; Order PL 215, § 308-54-100, filed 11/5/75; Order PL 107, § 308-54-100, filed 3/3/71.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-100.
308-53-330	Certification required for use of pharmaceutical agents. [Statutory Authority: RCW 18.53.010. 89-17-040 (Order PM 853), § 308-53-330, filed 8/11/89, effective 9/11/89.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-400.	308-54-110	Subjects for examination. [Statutory Authority: RCW 18.52.100(14). 87-02-008 (Order PM 633), § 308-54-110, filed 12/29/86; Order PL 107, § 308-54-110, filed 3/3/71.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-110.
308-53-340	Drug formulary. [Statutory Authority: RCW 18.53.010. 89-17-040 (Order PM 853), § 308-53-340, filed 8/11/89, effective 9/11/89.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-410.	308-54-120	Grading examinations. [Statutory Authority: RCW 18.52.100. 81-14-037 (Order PL 381), § 308-54-120, filed 6/29/81; Order PL 107, § 308-54-120, filed 3/3/71.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-120.
308-53-350	Optometrist with prescriptive authorization. [Statutory Authority: RCW 18.54.070. 89-22-102, § 308-53-350, filed 11/1/89, effective 12/2/89.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-420.	308-54-125	Continuing education credit for preceptors for administrators-in-training programs. [Statutory Authority: RCW 18.52.100(14) and 18.52.110. 80-01-057 (Order PL 328), § 308-54-125, filed 12/20/79.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-125.
308-53-400	AIDS prevention and information education requirements. [Statutory Authority: 1988 c 206 § 604. 89-09-027 (Order 833), § 308-53-400, filed 4/13/89.] Decodedified by 91-06-025 (Order 119B), filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.54.070. Recodified as WAC 246-851-430.	308-54-130	Courses of study. [Statutory Authority: RCW 18.52.100 (11). 88-23-038 (Order PM 791), § 308-54-130, filed 11/9/88. Statutory Authority: RCW 18.52.100(14) and 18.52.110(2). 82-20-092 (Order PL 407), § 308-54-130, filed 10/6/82. Statutory Authority: RCW 18.52.100(14) and 18.52.110. 80-01-057 (Order PL 328), § 308-54-130, filed 12/20/79; Order PL 265, § 308-54-130, filed 3/21/77; Order PL 260, § 308-54-130, filed 12/10/76; Order PL 107, § 308-54-130, filed 3/3/71.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-130.
Chapter 308-54 NURSING HOME ADMINISTRATOR		308-54-140	Approval of courses of study. [Statutory Authority: RCW 18.52.100(14). 87-02-008 (Order PM 633), § 308-54-140, filed 12/29/86. Statutory Authority: RCW 18.52.100(14) and 18.52.110(2). 84-07-051 (Order PL 461), § 308-54-140, filed 3/21/84; 82-20-092 (Order PL 407), § 308-54-140, filed 10/6/82. Statutory Authority: RCW 18.52.100(14) and 18.52.110. 80-01-057 (Order PL 328), § 308-54-140, filed 12/20/79; Order PL 260, § 308-54-140, filed 12/10/76; Order PL 186, § 308-54-140, filed 3/19/75; Order PL 107, § 308-54-140, filed 3/3/71.] Repealed by 88-23-038 (Order PM 791), filed 11/9/88. Statutory Authority: RCW 18.52.100(11).
308-54-010	Source of authority—Title. [Statutory Authority: RCW 18.52.100(14). 78-02-009 (Order PL 282), § 308-54-010, filed 1/6/78; Order PL 107, § 308-54-010, filed 3/3/71.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-001.	308-54-150	Continuing education requirements to meet the conditions of reregistration for license. [Statutory Authority: RCW 18.52.100(14) and 18.52.110(2). 84-07-051 (Order PL 461), § 308-54-150, filed 3/21/84. Statutory Authority: RCW 18.52.110. 80-04-069 (Order 338), § 308-54-150, filed 3/26/80; Order PL 260, § 308-54-150, filed 12/10/76; Order PL 107, § 308-54-150, filed 3/3/71.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-150.
308-54-020	General definitions. [Statutory Authority: RCW 18.52.100(14). 87-02-008 (Order PM 633), § 308-54-020, filed 12/29/86; Order PL 107, § 308-54-020, filed 3/3/71.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-010.	308-54-155	Certification of compliance. [Statutory Authority: RCW 18.52.100(14) and 18.52.110. 80-01-057 (Order
308-54-030	Board of examiners—Meetings. [Order PL 107, § 308-54-030, filed 3/3/71.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-030.		
308-54-040	Board of examiners—General powers and responsibilities. [Statutory Authority: RCW 18.52.100(14). 78-02-009 (Order PL 282), § 308-54-040, filed 1/6/78; Order PL 107, § 308-54-040, filed 3/3/71.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-040.		
308-54-050	Board of examiners—Officers and duties. [Order PL 107, § 308-54-050, filed 3/3/71.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-050.		
308-54-060	Executive secretary—Hiring and duties. [Statutory Authority: RCW 18.52.100(14). 87-02-008 (Order PM 633), § 308-54-060, filed 12/29/86; Order PL 126, § 308-54-060, filed 6/1/72; Order PL 107, § 308-54-060, filed 3/3/71.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-060.		
308-54-070	Scheduling of examinations and reexaminations. [Order PL 107, § 308-54-070, filed 3/3/71.] Decodedified by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-070.		

	PL 328), § 308-54-155, filed 12/20/79.] Decoded by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-155.		
308-54-160	Licenses. [Statutory Authority: RCW 18.52.100. 80-08-066 (Order 348), § 308-54-160, filed 7/1/80. Statutory Authority: RCW 18.52.070, 18.52.080 and 18.52.-100(14). 78-02-009 (Order PL 282), § 308-54-160, filed 1/6/78; Order PL 107, § 308-54-160, filed 3/3/71.] Decoded by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-160.	308-54-250	Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-240.
			Duplicate licenses. [Order PL 107, § 308-54-250, filed 3/3/71.] Decoded by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-250.
308-54-162	AIDS prevention and information education requirements. [Statutory Authority: RCW 18.52.100(11). 88-23-038 (Order PM 791), § 308-54-162, filed 11/9/88.] Decoded by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-162.	308-54-300	License reregistration fee. [Order PL 163, § 308-54-300, filed 3/18/74.] Repealed by Order PL 215, filed 11/5/75. Later promulgation, see WAC 308-54-310.
		308-54-310	Nursing home administrators—Fees. [Statutory Authority: RCW 43.24.085, 80-14-022 (Order 356), § 308-54-310, filed 9/25/80; Order PL 215, § 308-54-310, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-54-315.
308-54-170	Temporary permits. [Statutory Authority: RCW 18.52.-100(11). 88-23-038 (Order PM 791), § 308-54-170, filed 11/9/88. Statutory Authority: RCW 18.52.100. 80-08-066 (Order 348), § 308-54-170, filed 7/1/80. Statutory Authority: RCW 18.52.100 (10) and (14). 78-02-009 (Order PL 282), § 308-54-170, filed 1/6/78; Order PL 107, § 308-54-170, filed 3/3/71.] Decoded by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-170.	308-54-315	Nursing home administrator fees. [Statutory Authority: RCW 43.70.250, 90-04-094 (Order 029), § 308-54-315, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086, 87-18-031 (Order PM 667), § 308-54-315, filed 8/27/87. Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-54-315, filed 8/10/83. Formerly WAC 308-54-310.] Decoded by 91-06-058 (Order 138), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-843-990.
308-54-180	Registration of licenses. [Statutory Authority: RCW 18.52.100(14). 86-01-086 (Order PL 576), § 308-54-180, filed 12/18/85. Statutory Authority: RCW 18.52.-100. 80-08-066 (Order 348), § 308-54-180, filed 7/1/80; Order PL 260, § 308-54-180, filed 12/10/76; Order PL 107, § 308-54-180, filed 3/3/71.] Decoded by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-180.	308-54-320	Renewal of licenses. [Statutory Authority: RCW 18.52.100(14). 87-02-008 (Order PM 633), § 308-54-320, filed 12/29/86. Statutory Authority: RCW 43.24.-140. 80-04-057 (Order 337), § 308-54-320, filed 3/24/80.] Decoded by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-320.
308-54-190	Withdrawal from active practice. [Order PL 107, § 308-54-190, filed 3/3/71.] Repealed by 80-08-066 (Order 348), filed 7/1/80. Statutory Authority: RCW 18.52.-100.	<p style="text-align: center;">Chapter 308-55 REGULATING THE PRACTICE OF OCULARISTS</p>	
308-54-200	Standards of suitability and character. [Statutory Authority: RCW 18.52.100(14). 87-02-008 (Order PM 633), § 308-54-200, filed 12/29/86. Statutory Authority: RCW 18.52.100 (1) and (14). 78-02-009 (Order PL 282), § 308-54-200, filed 1/6/78; Order PL 107, § 308-54-200, filed 3/3/71.] Decoded by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-200.		
308-54-205	Standards of conduct. [Order PL 164, § 308-54-205, filed 3/27/74.] Decoded by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-205.	308-55-005	Uniform Disciplinary Act. [Statutory Authority: 1984 c 279 § 39. 84-21-094 (Order PL 487), § 308-55-005, filed 10/19/84, effective 8/1/85.] Repealed by 85-19-041 (Order PL 556), filed 9/12/85. Statutory Authority: RCW 18.55.065.
308-54-210	Refusal, suspension, and revocation of licenses. [Order PL 107, § 308-54-210, filed 3/3/71.] Repealed by 78-02-009 (Order PL 282), filed 1/6/78. Statutory Authority: RCW 18.52.100(14).	308-55-010	Fees. [Statutory Authority: RCW 43.24.085 and 1980 c 101 § 7. 80-08-003 (Order 344), § 308-55-010, filed 6/19/80.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-55-025.
308-54-220	Complaints and hearing procedures. [Statutory Authority: RCW 18.52.090(2), 18.52.150, 18.52.100 (4), (5), (6) and (14). 78-02-009 (Order PL 282), § 308-54-220, filed 1/6/78; Order PL 107, § 308-54-220, filed 3/3/71.] Decoded by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-220.	308-55-025	Ocularist fees. [Statutory Authority: RCW 43.24.086, 87-18-031 (Order PM 667), § 308-55-025, filed 8/27/87. Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-55-025, filed 8/10/83. Formerly WAC 308-55-010.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-849-990.
308-54-225	Issuance of subpoenas—Administering oaths and affirmations—Ruling when board or hearing panel not in session. [Statutory Authority: RCW 18.52.100. 80-08-066 (Order 348), § 308-54-225, filed 7/1/80. Statutory Authority: RCW 18.52.155. 78-02-009 (Order PL 282), § 308-54-225, filed 1/6/78.] Decoded by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-225.	308-55-035	General provisions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-55-035, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-849-020.
308-54-230	Reciprocity. [Statutory Authority: RCW 18.52.100(14). 87-02-008 (Order PM 633), § 308-54-230, filed 12/29/86; Order PL 107, § 308-54-230, filed 3/3/71.] Decoded by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 18.52.100. Recodified as WAC 246-843-230.	308-55-045	Mandatory reporting. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-55-045, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-849-030.
308-54-240	Restoration and reinstatement of licenses. [Statutory Authority: RCW 18.52.100(14) and 18.52.120. 78-02-009 (Order PL 282), § 308-54-240, filed 1/6/78; Order PL 107, § 308-54-240, filed 3/3/71.] Decoded by 91-06-060 (Order 141B), filed 3/1/91, effective 4/1/91.	308-55-055	Health care institutions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-55-055, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-849-040.
		308-55-065	Ocularist associations or societies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-55-065, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-849-050.
		308-55-075	Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-55-075, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-849-060.
		308-55-085	Professional liability carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-55-085, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory

	Authority: RCW 43.70.040. Recodified as WAC 246-849-070.	308-56-150	Certificate of inspection. [§ 1(12), filed 11/5/63; § 1(12), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-55-095	Courts. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-55-095, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-849-080.	308-56-160	No title issued. [§ 1(13), filed 11/5/63; § 1(13), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-55-105	State and federal agencies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-55-105, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-849-090.	308-56-170	Foreign title returned. [§ 1(14), filed 11/5/63; § 1(14), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-55-115	Cooperation with investigation. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-55-115, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-849-100.	308-56-180	Certificate of title mailed to the lien holder. [§ 1(15), filed 11/5/63; § 1(15), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-55-200	AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 88-22-077 (Order PM 786), § 308-55-200, filed 11/2/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-849-110.	308-56-190	Title purpose only. [§ 308-56-190, filed 6/29/67; § 1(16), filed 11/5/63, 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
	Chapter 308-56 CERTIFICATE OF TITLE—MOTOR VEHICLES, ETC.	308-56-200	Partnership or association not incorporated. [§ 1(17), filed 11/5/63; § 1(17), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-010	Certificates—Generally—Vehicles requiring. [§ 1(1), filed 11/5/63; § 1(1), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-210	Vehicles registered by army personnel returning from foreign duty. [§ 1(18), filed 11/5/63; § 1(18), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-020	Certificates—How to complete application for certificate of title—New vehicles not previously registered. [§ 1(2A), filed 11/5/63; § 1(2A), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-220	Four percent compensating tax et seq. [§ 1(19), filed 11/5/63; § 1(19), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-025	Additional rules for new vehicles—Manufacturer's statement of origin required. [Order MV-166, § 308-56-025, filed 5/7/73.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-250	Transfer of certificate of title—Procedure. [§ 308-56-250, filed 6/29/67; § 2(1), filed 11/5/63, 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-030	Additional rules for new vehicles—Foreign vehicles not previously licensed in Washington—Additional requirements. [§ 1(2B), filed 11/5/63; § 1(2B), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-260	Transfer of certificate of title—Purchaser must transfer. [§ 2(2), filed 11/5/63; § 2(2), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-040	Additional rules for new vehicles—Vehicles purchased from United States government—Additional requirements. [§ 1(2C), filed 11/5/63; § 1(2C), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-270	Transfer of certificate of title—Penalty—Failure to transfer. [§ 2(3), filed 11/5/63; § 2(3), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-050	Delivery of vehicle on dealer's temporary permit. [Order MV-171, § 308-56-050, filed 7/18/73; § 308-56-050, filed 6/29/67; § 1(2D), filed 11/5/63, 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-280	Transfer of certificate of title—Dealer not required to transfer title—Sale to second dealer. [§ 2(4), filed 11/5/63; § 2(4), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-060	Dealer report of sale. [§ 308-56-060, filed 6/29/67; § 1(3), filed 11/5/63, 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-290	Transfer of certificate of title—Repossession by dealer. [§ 308-56-290, filed 6/29/67; § 2(5), filed 11/5/63, 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-070	Dealer not required to obtain certificate of title in his own name before sale of vehicle. [§ 1(4), filed 11/5/63; § 1(4), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-300	Transfer of certificate of title—Repossession by finance company or individual. [§ 308-56-300, filed 6/29/67; § 2(6), filed 11/5/63, 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-080	Purchased from foreign dealer. [§ 308-56-080, filed 6/29/67; § 1(5), filed 11/5/63, 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-310	Transfer of certificate of title—Repossession by dealer when contract is assigned. [§ 308-56-310, filed 6/29/67; § 2(7), filed 11/5/63, 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-090	If foreign title is lost. [§ 1(6), filed 11/5/63; § 1(6), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-320	Transfer of certificate of title—Divorce proceedings. [§ 308-56-320, filed 6/29/67; § 2(8), filed 11/5/63, 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-100	Foreign title lost by dealer. [§ 1(7), filed 11/5/63; § 1(7), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-330	Transfer of certificate of title—Acquired by will. [§ 2(9), filed 11/5/63; § 2(9), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-110	Foreign vehicles. [§ 1(8), filed 11/5/63; § 1(8), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-340	Transfer of certificate of title—Sale by administrator appointed by court—No will. [§ 308-56-340, filed 6/29/67; § 2(10), filed 11/5/63, 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-120	Nonresident applying for certificate of title. [§ 1(9), filed 11/5/63; § 1(9), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-350	Transfer of certificate of title—Transfer to estate. [§ 2(11), filed 11/5/63; § 2(11), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-130	Foreign title assigned to dealer. [§ 1(10), filed 11/5/63; § 1(10), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-360	Transfer of certificate of title—Acquisition where deceased left no will or estate to be probated. [§ 2(12), filed 11/5/63; § 2(12), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-140	From states not issuing certificate of title. [§ 1(11 and 11-A), filed 11/5/63; § 1(11), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-370	Transfer of certificate of title—Order of court. [§ 2(13), filed 11/5/63; § 2(13), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
		308-56-380	Transfer of certificate of title—Community agreements. [§ 2(14), filed 11/5/63; § 2(14), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
		308-56-390	Transfer of certificate of title—Transfer by process of law—Cancellation of certificate of title. [§ 2(15), filed

	11/5/63; § 2(15), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-610	Reissue of certificate of title—Two lien holders. [§ 3(6), filed 11/5/63; § 3(6), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-400	Transfer of certificate of title—When a vehicle has been sold and not transferred. [§ 2(16), filed 11/5/63; § 2(16), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-620	Reissue of certificate of title—Change in corporate name. [§ 3(7), filed 11/5/63; § 3(7), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-410	Transfer of certificate of title—Transfer when owner declared incompetent. [§ 308-56-410, filed 6/29/67; § 2(17), filed 11/5/63, 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-630	Reissue of certificate of title—Incorrect endorsements or erasures. [§ 3(8), filed 11/5/63; § 3(8), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-420	Transfer of certificate of title—Bankruptcy—Receiver appointed by court. [§ 2(18), filed 11/5/63; § 2(18), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-640	Reissue of certificate of title—Correction of certificate of title. [§ 3(9), filed 11/5/63; § 3(9), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-430	Transfer of certificate of title—Desertion. [§ 2(19), filed 11/5/63; § 2(19), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-650	Reissue of certificate of title—Change of name by legal court action. [§ 3(10), filed 11/5/63; § 3(10), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-440	Transfer of certificate of title—Sheriff's sale. [§ 2(20), filed 11/5/63; § 2(20), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-660	Reissue of certificate of title—Installation of new or used motor. [§ 308-56-660, filed 6/29/67; § 3(11), filed 11/5/63, 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-450	Transfer of certificate of title—Abandoned car—Left in garage. [§ 2(21), (22), (23), filed 11/5/63; § 2(21), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-670	Reissue of certificate of title—Motor installed by dealer. [§ 3(12), filed 11/5/63; § 3(12), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-460	Transfer of certificate of title—Abandoned vehicle—Left out in open. [§ 2(24), filed 11/5/63; § 2(22), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-680	Reissue of certificate of title—Identification number. [§ 308-56-680, filed 6/29/67; § 3(13), filed 11/5/63, 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-470	Transfer of certificate of title—Advertised sale—Storage lien. [§ 2(25), filed 11/5/63; § 2(23), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-690	Reissue of certificate of title—Mutilated number. [§ 3(14), filed 11/5/63; § 3(14), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-480	Transfer of certificate of title—Repairman's lien. [§ 2(24), filed 11/5/63; § 2(24), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-700	Reissue of certificate of title—Notice of destruction. [§ 3(15), filed 11/5/63; § 3(15), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-490	Transfer of certificate of title—Tax sale. [§ 2(25), filed 11/5/63; § 2(25), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-710	Reissue of certificate of title—Assembled vehicles. [§ 308-56-710, filed 6/29/67; § 3(16), filed 11/5/63, 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-500	Transfer of certificate of title—Lien holder's interest. [§ 2(26), filed 11/5/63; § 2(26), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-720	Certificate of title endorsements and signatures on applications—Endorsements required on reverse side of certificate of title when transferring vehicle. [§ 4(1), filed 11/5/63; § 4(1), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-510	Transfer of certificate of title—Transfer of exempt vehicles. [§ 2(27), filed 11/5/63; § 2(27), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-730	Certificate of title endorsements and signatures on applications—Two or more owners. [§ 4(2), filed 11/5/63; § 4(2), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-520	Transfer of certificate of title—Leased vehicles. [§ 2(28), filed 11/5/63; § 2(28), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-740	Certificate of title endorsements and signatures on applications—Release of lien holder. [§ 4(3), filed 11/5/63; § 4(3), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-530	Transfer of certificate of title—Partnership changes. [§ 2(29), filed 11/5/63; § 2(29), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-750	Certificate of title endorsements and signatures on applications—Operation of law. [§ 4(4), filed 11/5/63; § 4(4), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-540	Transfer of certificate of title—Compensating tax. [§ 2(30), filed 11/5/63; § 2(30), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-760	Certificate of title endorsements and signatures on applications—Signature on applications for certificate of title. [§ 4(5), filed 11/5/63; § 4(5), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-550	Transfer of certificate of title—Amateur radio operator's license plates. [§ 2(31), filed 11/5/63; § 2(31), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-770	Certificate of title endorsements and signatures on applications—Minor owners. [§ 4(6), filed 11/5/63; § 4(6), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-560	Reissue of certificate of title—Application for reissue—Procedure. [§ 308-56-560, filed 6/29/67; § 3(1), filed 11/5/63, 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-780	Certificate of title endorsements and signatures on applications—Reissue application to record a chattel mortgage. [§ 4(7), filed 11/5/63; § 4(7), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-570	Reissue of certificate of title—Placing of chattel mortgage. [§ 3(2), filed 11/5/63; § 3(2), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-790	Certificate of title endorsements and signatures on applications—Duplicate certificate of title. [§ 4(8), filed 11/5/63; § 4(8), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-580	Reissue of certificate of title—Filing second chattel mortgage. [§ 3(3), filed 11/5/63; § 3(3), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-800	Certificate of title endorsements and signatures on applications—Miscellaneous applications. [§ 4(9), filed 11/5/63; § 4(9), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.
308-56-590	Reissue of certificate of title—Release notice must be filed. [§ 3(4), filed 11/5/63; § 3(4), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.	308-56-810	Certificate of title endorsements and signatures on applications—Partnership. [§ 4(10), filed 11/5/63; §
308-56-600	Reissue of certificate of title—Change in lien holder. [§ 3(5), filed 11/5/63; § 3(5), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.		

4(10), filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.

308-56-820 Duplicate certificate of title. [§ 5, filed 11/5/63; § 5, filed 3/23/60.] Repealed by Order MV 208, filed 7/31/74. See chapter 308-56A WAC.

Chapter 308-58
REPORTING DESTROYED VEHICLES

308-58-010 Definitions. [Statutory Authority: RCW 46.01.110 and 46.12.075. 97-11-049, § 308-58-010, 5/19/97, effective 6/19/97. Statutory Authority: RCW 46.01.110 and 46.12.070. 91-04-025, § 308-58-010, filed 1/29/91, effective 3/1/91; Order MV 142, § 308-58-010, filed 8/28/72.] Repealed by 00-06-025, filed 2/23/00, effective 3/25/00. Statutory Authority: RCW 46.01.110 and 46.12.070.

308-58-020 Method of reporting destruction. [Statutory Authority: RCW 46.01.110. 92-15-022, § 308-58-020, filed 7/6/92, effective 8/6/92. Statutory Authority: RCW 46.01.110 and 46.12.070. 91-04-025, § 308-58-020, filed 1/29/91, effective 3/1/91. Statutory Authority: RCW 46.01.110. 88-23-037 (Order TL/RG 46), § 308-58-020, filed 11/9/88; Order MV 142, § 308-58-020, filed 8/28/72.] Repealed by 00-06-025, filed 2/23/00, effective 3/25/00. Statutory Authority: RCW 46.01.110 and 46.12.070.

308-58-030 Sale of salvage. [Statutory Authority: RCW 46.01.110 and 46.12.075. 97-11-049, § 308-58-030, 5/19/97, effective 6/19/97. Statutory Authority: RCW 46.01.110. 88-20-035 (Order TL/RG 44), § 308-58-030, filed 9/30/88; Order MV 142, § 308-58-030, filed 8/28/72.] Repealed by 00-06-025, filed 2/23/00, effective 3/25/00. Statutory Authority: RCW 46.01.110 and 46.12.070.

308-58-040 Salvage vehicles rebuilt. [Statutory Authority: RCW 46.01.110 and 46.12.075. 97-11-049, § 308-58-040, 5/19/97, effective 6/19/97. Statutory Authority: RCW 46.01.110. 92-15-022, § 308-58-040, filed 7/6/92, effective 8/6/92; Order MV 142, § 308-58-040, filed 8/28/72.] Repealed by 00-06-025, filed 2/23/00, effective 3/25/00. Statutory Authority: RCW 46.01.110 and 46.12.070.

308-58-050 Destroyed vehicle retitled. [Statutory Authority: RCW 46.01.110 and 46.12.075. 97-11-049, § 308-58-050, 5/19/97, effective 6/19/97.] Repealed by 00-06-025, filed 2/23/00, effective 3/25/00. Statutory Authority: RCW 46.01.110 and 46.12.070.

Chapter 308-60
DISPOSITION OF ABANDONED VEHICLES—REGISTRATION OF TOW TRUCK OPERATORS AND GARAGE KEEPERS

308-60-010, through 308-60-060. [Order 69-2, filed 9/3/69.] Repealed by Order MV-174, filed 10/19/73.

Chapter 308-62
PROCEDURE FOR TAKING CUSTODY OF UNAUTHORIZED VEHICLES

308-62-010 Definitions. [Order 473-DOL, § 308-62-010, filed 12/30/77.] Repealed by 94-08-025, filed 3/29/94, effective 4/29/94.

308-62-020 Specifications and standards for approved signs. [Order 473-DOL, § 308-62-020, filed 12/30/77.] Repealed by 94-08-025, filed 3/29/94, effective 4/29/94.

308-62-030 Filing of fee schedules with department. [Order 473-DOL, § 308-62-030, filed 12/30/77.] Repealed by 94-08-025, filed 3/29/94, effective 4/29/94.

Chapter 308-64
MOTOR VEHICLE DEALERS

308-64-010, through 308-64-260. [Filed 11/5/63; filed 3/23/60.] Repealed by Order 2, filed 1/29/68. Later enactment, see chapter 308-66 WAC.

Chapter 308-76
MOTOR VEHICLE FUEL IMPORTER USE TAX

308-76-005 Practice and procedure. [See chapter 308-08 WAC.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.

308-76-010 Users of use fuel—Definitions. [Regulation I, § I, effective 9/1/65.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-015 Users of use fuel—Imposition of tax. [Regulation I, § II, effective 9/1/65.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-020 Users of use fuel—Monthly report required—Tax payable monthly. [Regulation I, § III, effective 9/1/65; Regulation II, § D, effective 1/1/57.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-025 Users of use fuel—Use fuel tax permit and vehicle identification card. [Regulation I, § IV, effective 9/1/65; Regulations II, § A and II, § C, effective 1/1/57.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-030 Users of use fuel—Cancellation or revocation of permit—Discontinuance of use of equipment. [Regulation I, § V, effective 9/1/65; Regulations II, § F, and II, § G, effective 1/1/57.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-035 Users of use fuel—Permit required before registration of vehicle. [Regulation I, § VI, effective 9/1/65.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-040 Users of use fuel—Security required. [Regulation I, § VII, effective 9/1/65; Regulation II, § B, effective 1/1/57.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-045 Users of use fuel—Deficiency assessment—Default assessment—Reassessment of deficiency, and default assessments—Audit determination. [Regulation I, § VIII, effective 9/1/65.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-050 Users of use fuel—Records to be maintained—Audit of records. [Regulation I, § IX, effective 9/1/65; Regulation II, § E, effective 1/1/57.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-080 Users of use fuel—Display of permit. [Regulation II, § A effective 1/1/57.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-090 Users of use fuel—Security requirements. [Regulation II, § B (1) (2), effective 1/1/57.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-100 Sellers of use fuel—Seller's license. [Regulation II, § I, effective 9/1/65; Regulation II, § I, effective 9/1/63; Regulation I, § A, effective 1/1/57.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-110 Sellers of use fuel—Security required. [Regulation II, § II, effective 9/1/65; Regulation II, § II, effective 9/1/63; Regulation I, § B, effective 1/1/57.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-120 Sellers of use fuel—Vehicle identification card, permit, license to be displayed. [Regulation II, § III, effective 9/1/65; Regulation II, § III, effective 9/1/63; Regulation I, § C, effective 1/1/57.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-130 Sellers of use fuel—Monthly report required. [Regulation II, § IV, effective 9/1/65; Regulation II, § IV, effective 9/1/63; Regulation I, § D, effective 1/1/57.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-140 Sellers of use fuel—Records—Liability of sellers. [Regulation II, § V, effective 9/1/65; Regulation II, § IV, effective 9/1/63; Regulation I, § E, effective 1/1/57.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-200 Noncommercial passenger vehicle users—Exemption from use fuel tax report permit, security and vehicle identification card. [Regulation III, effective 9/1/65; Regulation III, effective 1/1/57.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

308-76-400 Motor Vehicle Fuel Importer Use Tax Act—Definitions. [Motor Vehicle Fuel Importer Use Tax Act, Regulation A, effective 8/15/65.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.

308-76-405 Motor Vehicle Fuel Importer Use Tax Act—Tax imposed—Rate. [MVFIUTA Regulation B, effective 8/15/65; MVFIUTA Regulation A, effective 9/1/63.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.

308-76-410 Motor Vehicle Fuel Importer Use Tax Act—Report of carriers. [MVFIUTA Regulation C, effective 8/15/65; MVFIUTA Regulation B, effective 9/1/63.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.

308-76-415 Motor Vehicle Fuel Importer Use Tax Act—Computation and collection of tax—Credit for fuel purchased in Washington. [Order MV 376, § 308-76-415, filed 8/9/76; MVFIUTA Regulation D, effective 8/15/65;

MVFIUTA Regulation C, effective 9/1/63.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.

308-76-420

Motor Vehicle Fuel Importer Use Tax Act—Assessment of tax. [MVFIUTA Regulation E, effective 8/15/65; MVFIUTA Regulation D, effective 9/1/63.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.

308-76-425

Motor Vehicle Fuel Importer Use Tax Act—Exported fuel—Refund procedure. [MVFIUTA Regulation F, effective 8/15/65; MVFIUTA Regulation E, effective 9/1/63.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.

308-76-430

Motor Vehicle Fuel Importer Use Tax Act—Records required. [MVFIUTA Regulation G, effective 8/15/65; MVFIUTA Regulation F, effective 9/1/63.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.

308-76-500

Use fuel tax report forms. [Use Fuel Tax Regulation IV, effective 1/1/57.] Repealed by Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.

Chapter 308-79

AIRCRAFT—INDICIA OF REGISTRATION

308-79-050

Display of indicia of registration. [Statutory Authority: RCW 47.68.250. 86-10-003 (Order TL/RG 22), § 308-79-050, filed 4/24/86.] Repealed by 87-16-058 (Order TL/RG 35), filed 7/30/87. Statutory Authority: RCW 47.68.250, as amended by 1987 c 220 § 3.

Chapter 308-84 WRECKERS

308-84-010

Wreckers—Defined. [§ 21(1), filed 6/21/65; § 21(1), filed 11/5/63 and 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

308-84-020

Wreckers—Established place of business defined. [§ 21(2), filed 6/21/65; § 21(2), filed 11/5/63 and 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

308-84-030

Wreckers—Enclosure. [§ 21(3), filed 6/21/65.] Repealed by Order MV-174, filed 10/19/73.

308-84-040

Wreckers—Second place of business. [§ 21(4), filed 6/21/65.] Repealed by Order MV-174, filed 10/19/73.

308-84-050

Wreckers—Branch or subagency. [§ 21(5), filed 6/21/65.] Repealed by Order MV-174, filed 10/19/73.

308-84-060

Wreckers—Storage yard. [§ 21(6), filed 6/21/65.] Repealed by Order MV-174, filed 10/19/73.

308-84-070

Wreckers—Wrecker plates. [§ 21(7), filed 6/21/65.] Repealed by Order MV-174, filed 10/19/73.

308-84-080

Wreckers—Application for license. [§ 21(8), filed 6/21/65; § 21(3), filed 11/5/63 and 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

308-84-090

Wreckers—Tow car fee. [§ 21(9), filed 6/21/65; § 21(4), filed 11/5/63.] Repealed by Order MV-174, filed 10/19/73.

308-84-100

Wreckers—Must file bond. [§ 21(10), filed 6/21/65; § 21(5), filed 11/5/63; § 21(4), filed 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

308-84-110

Wreckers—Dealer books and files. [§ 21(11), filed 6/21/65; § 21(6), filed 11/5/63; § 21(5), filed 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

308-84-120

Wreckers—Must furnish written reports (Form C-15-3 pink). [§ 21(12), filed 6/21/65; § 21(7), filed 11/5/63; § 21(6), filed 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

308-84-130

Wreckers—Illegal to acquire a motor vehicle without a certificate of title. [§ 21(13), filed 6/21/65; § 21(8), filed 11/5/63; § 21(7), filed 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

308-84-140

Wreckers—Must furnish bill of sale for parts. [§ 21(14), filed 6/21/65; § 21(9), filed 11/5/63; § 21(8), filed 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

308-84-150

Wreckers—License may be revoked by the director of licenses. [§ 21(15), filed 6/21/65; § 21(10), filed 11/5/63; § 21(9), filed 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

308-84-160

Wreckers—Right of appeal. [§ 21(16), filed 6/21/65; § 21(11), filed 11/5/63; § 21(10), filed 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

308-84-170

Wreckers—Subject to penalty. [§ 21(17), filed 6/21/65; § 21(12), filed 11/5/63; § 21(11), filed 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

308-84-180

Wreckers—Periodic inspection. [§ 21(18), filed 6/21/65; § 21(13), filed 11/5/63; § 21(12), filed 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

308-84-190

Wreckers—Change of address. [§ 21(19), filed 6/21/65; § 21(15), filed 11/5/63; § 21(14), filed 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

308-84-200

Wreckers—Selling reconditioned vehicles. [§ 21(20), filed 6/21/65; § 21(16), filed 11/5/63; § 21(15), filed 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

308-84-210

Wreckers—License plates. [§ 21(21), filed 6/21/65; § 21(17), filed 11/5/63; § 21(16), filed 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

308-84-220

Wreckers—Display of license certificate. [§ 21(22), filed 6/21/65; § 21(18), filed 11/5/63; § 21 (part), filed 3/23/60.] Repealed by Order MV-174, filed 10/19/73.

Chapter 308-85

HULK HAULERS AND SCRAP PROCESSORS

308-85-010,

through 308-85-090. [Order 104-MV, filed 7/8/71.] Repealed by Order MV-174, filed 10/19/73. Later promulgation, see chapter 308-61 WAC.

Chapter 308-86

ABANDONED JUNK MOTOR VEHICLES

308-86-010,

through 308-86-040. [Order 105-MV, filed 7/8/71.] Repealed by Order MV-174, filed 10/19/73.

Chapter 308-92

RECIPROCITY

308-92-010

Definitions—Reciprocity. [Section 24, subsection 1, filed 3/23/60.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-020

Definitions—Resident. [Section 24, subsection 2, filed 3/23/60.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-030

Definitions—Nonresident. [Section 24, subsection 3, filed 3/23/60.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-040

Definitions—Military forces. [Section 24, subsection 4, filed 3/23/60.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-050

Definitions—Temporary sojourning. [Section 24, subsection 5, filed 3/23/60.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-060

Definitions—Interstate operation. [Section 24, subsection 7, filed 3/23/60.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-070

Definitions—Intrastate operation. [Section 24, subsection 8, filed 3/23/60.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-080

Proration. [Section 24, subsection 6, filed 3/23/60.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-100

Application of rules numbered WAC 308-92-100 through 308-92-190. [Order MV-161, § 308-92-100, filed 3/21/73.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-110

Vehicles. [Order MV-161, § 308-92-110, filed 3/21/73.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-120

Resident. [Order MV-161, § 308-92-120, filed 3/21/73.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-130

Exemptions. [Order MV-161, § 308-92-130, filed 3/21/73.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-140

Basic agreement. [Order MV-161, § 308-92-140, filed 3/21/73.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-150

Operation by a resident. [Order MV-161, § 308-92-150, filed 3/21/73.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-160

Borrowed vehicle. [Order MV-161, § 308-92-160, filed 3/21/73.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-170

Change of residence. [Order MV-161, § 308-92-170, filed 3/21/73.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-180

Administration of rules and regulations. [Order MV-161, § 308-92-180, filed 3/21/73.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.

308-92-190	Interpretation. [Order MV-161, § 308-92-190, filed 3/21/73.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.	308-96-075	"Drive yourself" or "u-drive" vehicles. [§ 8(8), filed 11/5/63; § 8(8), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-92-200	Applicability of rules to states other than Oregon or Idaho. [Order MV-161, § 308-92-200, filed 3/21/73.] Repealed by 81-02-030 (Order WRC-2), filed 1/5/81. Statutory Authority: RCW 46.85.030.	308-96-080	Hearses and ambulances. [§ 8(9), filed 11/5/63; § 8(9), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
Chapter 308-95 VEHICLE IMPOUND		308-96-085	Station wagons. [§ 8(10), filed 11/5/63; § 8(10), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-95-010	Vehicle impound—Notice of right to formal hearing—Hearing request. [Statutory Authority: RCW 46.20.435. 83-12-025 (Order 718-DOL), § 308-95-010, filed 5/25/83.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.	308-96-090	Reciprocity. [§ 8(11), filed 11/5/63; § 8(11), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-95-020	Transcripts or abstracts of driving record certified—As prima facie evidence. [Statutory Authority: RCW 46.20.435. 83-12-025 (Order 718-DOL), § 308-95-020, filed 5/25/83.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.	308-96-095	Foreign owner may retain plates. [§ 8(12), filed 11/5/63; § 8(12), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-95-030	Penalties, fines or forfeitures defined. [Statutory Authority: RCW 46.20.435. 83-12-025 (Order 718-DOL), § 308-95-030, filed 5/25/83.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.	308-96-100	Destroyed or wrecked vehicles. [§ 8(13), filed 11/5/63; § 8(13), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
Chapter 308-96 VEHICLE LICENSES		308-96-1001	Mobile home identification tag fee refunds. [Order MV-167, § 308-96-1001, filed 5/7/73.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-005	Certificate of registration—Display. [Order, § 308-96-005, filed 6/29/67; § 6(1), filed 11/5/63, 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-105	Fees. [§ 8(14), filed 11/5/63; § 8(14), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-010	Certificate of registration—Duplicate. [§ 6(2), filed 11/5/63; § 6(2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-110	Licenses for amputee. [§ 8(15), filed 11/5/63; § 8(15), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-015	Certificate of registration—Where "last issued" required in licensing. [§ 6(3), filed 11/5/63; § 6(3), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-115	Special fees. [§ 8(16), filed 11/5/63; § 8(16), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-020	Certificate of registration—Where not required in licensing. [§ 6(4), filed 11/5/63; § 6(4), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-120	Antique cars—Horseless carriages, plates. [Order 109 MV, § 308-96-120, filed 9/23/71; § 8(17), filed 11/5/63; § 8(17), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-025	Special motor number. [§ 7(1), filed 11/5/63; § 7(1), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-121	Antique cars—Restored vehicle plates. [Order 109 MV, § 308-96-121, filed 9/23/71.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-030	Special serial number. [§ 7(2), filed 11/5/63; § 7(2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-122	Vehicles with horseless carriage or restored vehicle plates—Permissible uses. [Order 109 MV, § 308-96-122, filed 9/23/71.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-035	Identification number. [§ 7(3), filed 11/5/63; § 7(3), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-125	Consular plates. [§ 8(18), filed 11/5/63.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-040	Motor vehicle license for private passenger cars—Original application. [§ 8(1), filed 11/5/63; § 8(1), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-130	Disabled operators. [§ 8(19), filed 11/5/63.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-045	Motor vehicle license for private passenger cars—Manual renewal—Identification requirements. [Order 116 MV, § 308-96-045, filed 12/14/71; § 8(2), filed 11/5/63; § 8(2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-135	Cab and chassis. [§ 9(1), filed 11/5/63; § 9(1), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-050	Motor vehicle license for private passenger cars—Renewal reprints—County auditor. [§ 8(3), filed 11/5/63; § 8(3), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-140	Cab and chassis—Original application for truck license. [Order, § 308-96-140, filed 6/29/67; § 9(2), filed 11/5/63, 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-055	Motor vehicle license for private passenger cars—Renewal—Manual form. [§ 8(4), filed 11/5/63; § 8(4), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-145	Cab and chassis—Method of obtaining renewal license. [§ 9(3), filed 11/5/63; § 9(3), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-060	Motor vehicle license for private passenger cars—Members of armed forces. [§ 8(5), filed 11/5/63; § 8(5), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-150	Cab and chassis—Fixed load. [Order, § 308-96-150, filed 6/29/67; § 9(4), filed 11/5/63, 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-065	Passenger cars used commercially. [Order, § 308-96-065, filed 6/29/67; § 8(6), filed 11/5/63, 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-160	Cab and chassis—Sedans and coupes used as delivery vehicles. [Order, § 308-96-160, filed 6/29/67; § 9(5), filed 11/5/63, 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-070	Chevrolet Suburban, GMC, and International Carryalls. [§ 8(7), filed 11/5/63; § 8(7), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-170	Cab and chassis—Station wagons. [Order, § 308-96-170, filed 6/29/67; § 9(6), filed 11/5/63, 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
		308-96-175	Cab and chassis—Diesel trucks. [§ 9(7), filed 11/5/63; § 9(7), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
		308-96-180	Cab and chassis—Wreckers and service cars—Additional plates. [§ 9(8), filed 11/5/63; § 9(8), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
		308-96-185	Cab and chassis—Fire trucks. [§ 9(9), filed 11/5/63; § 9(9), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
		308-96-190	Cab and chassis—Trucks and trailers on closed and private roads or government reservations. [§ 9(10), filed 11/5/63; § 9(10), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.

308-96-195	Cab and chassis—Road construction equipment. [§ 9(11), filed 11/5/63; § 9(11), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.		
308-96-200	Cab and chassis—Tractors. [Order, § 308-96-200, filed 6/29/67; § 9(12), filed 11/5/63, 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-320	Truck and trailer tonnage—Quarterly reduction in fees. [§ 10(12), filed 11/5/63; § 10(12), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-205	Cab and chassis—Lettering on trucks and trailers. [§ 9(13), filed 11/5/63; § 9(14), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-325	Truck and trailer tonnage—Transfer of load license. [§ 10(13), filed 11/5/63; § 10(13), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-210	Cab and chassis—Circus and carnival trucks. [§ 9(14), filed 11/5/63; § 9(15), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-330	Truck and trailer tonnage—From vehicle out of commission. [§ 10(14), filed 11/5/63; § 10(14), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-220	Cab and chassis—Show trucks with fixed load. [§ 9(15), filed 11/5/63; § 9(16), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-335	Truck and trailer tonnage—Transfer of load license—One person to another. [§ 10(15), filed 11/5/63; § 10(15), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-225	Cab and chassis—Farm equipment. [§ 9(16), filed 11/5/63; § 9(17), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-340	Truck and trailer tonnage—More than one vehicle. [§ 10(16), filed 11/5/63; § 10(16), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-230	Cab and chassis—Trailers used on farms or for transporting farm produce. [§ 9(17), filed 11/5/63; § 9(18), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-345	Truck and trailer tonnage—From one type to another. [§ 10(17), filed 11/5/63; § 10(17), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-235	Cab and chassis—Excise tax on trucks and trailers. [§ 9(18), filed 11/5/63; § 9(19), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-350	Truck and trailer tonnage—Transfer of load license when class changes. [§ 10(18), filed 11/5/63; § 10(18), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-240	Cab and chassis—Jeeps. [§ 9(19), filed 11/5/63; § 9(20), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-355	Truck and trailer tonnage—To reduce or increase load. [§ 10(19), filed 11/5/63; § 10(19), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-245	Cab and chassis—Private passenger car trailers. [§ 9(20), filed 11/5/63; § 9(21), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-360	Truck and trailer tonnage—Repossession. [§ 10(20), filed 11/5/63; § 10(20), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-250	Cab and chassis—Trucks carrying both freight and passengers for compensation. [§ 9(21), filed 11/5/63; § 9(22), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-365	Truck and trailer tonnage—Vehicle transferred to another state. [§ 10(21), filed 11/5/63; § 10(21), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-255	Cab and chassis—Converter gear. [§ 9(22), filed 11/5/63; § 9(23), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-370	Truck and trailer tonnage—Load license from estate of deceased owner. [§ 10(22), filed 11/5/63; § 10(22), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-260	Cab and chassis—House moving dollies. [§ 9(23), filed 11/5/63; § 9(24), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-375	Truck and trailer tonnage—Transfer to a farmer. [§ 10(23), filed 11/5/63; § 10(23), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-265	Truck and trailer tonnage—Gross weight. [§ 10(1), filed 11/5/63; § 10(1), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-380	Truck and trailer tonnage—Transfer from a farmer. [§ 10(24), filed 11/5/63; § 10(24), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-270	Truck and trailer tonnage—License applications. [§ 10(2), filed 11/5/63; § 10(2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-385	Truck and trailer tonnage—Vehicle sold at sheriff sale. [§ 10(25), filed 11/5/63; § 10(25), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-275	Truck and trailer tonnage—Completion of manual application for tonnage license. [§ 10(3), filed 11/5/63; § 10(3), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-390	Truck and trailer tonnage—Logging vehicles—Monthly tonnage. [§ 10(26), filed 11/5/63; § 10(26), filed 3/23/60.] Repealed by MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-280	Truck and trailer tonnage—Special fees. [§ 10(4), filed 11/5/63; § 10(4), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-395	Stage license. [§ 11(1), filed 11/5/63; § 11(1), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-285	Truck and trailer tonnage—Validation of load license. [§ 10(5), filed 11/5/63; § 10(5), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-400	For hire license. [§ 11(2), filed 11/5/63; § 11(2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-290	Truck and trailer tonnage—House trucks. [§ 10(6), filed 11/5/63; § 10(6), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-405	Permit to operate vehicles transporting passengers for hire. [§ 11(3), filed 11/5/63; § 11(3), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-295	Truck and trailer tonnage—Fixed load. [§ 10(7), filed 11/5/63; § 10(7), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-410	Taxicabs. [§ 11(4), filed 11/5/63; § 11(4), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-300	Truck and trailer tonnage—Circus and carnival trucks. [§ 10(8), filed 11/5/63; § 10(8), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-415	Foreign taxicabs. [§ 11(5), filed 11/5/63; § 11(5), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-305	Truck and trailer tonnage—Farm trucks and trailers. [§ 10(9), filed 11/5/63; § 10(9), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-420	Trackless trolleys. [§ 11(6), filed 11/5/63; § 11(6), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-310	Truck and trailer tonnage—Converter gear. [§ 10(10), filed 11/5/63; § 10(10), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-425	Street car buses privately owned. [§ 11(7), filed 11/5/63; § 11(7), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-315	Truck and trailer tonnage—Additional tonnage. [§ 10(11), filed 11/5/63; § 10(11), filed 3/23/60.] Repealed		

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308-96-430	School buses. [§ 11(8), filed 11/5/63; § 11(8), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.		
308-96-435	Excise tax. [§ 11(9), filed 11/5/63; § 11(9), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-560	Exempt licenses—Department purchasing used vehicle. [§ 13(10), filed 11/5/63; § 13(10), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-440	Quarterly reduction in fees. [§ 11(10), filed 11/5/63; § 11(10), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-565	Exempt licenses—Exempt fees. [§ 13(11), filed 11/5/63; § 13(11), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-445	License plates not transferable. [§ 11(11), filed 11/5/63; § 11(11), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-570	Exempt licenses—Penalties. [§ 13(12), filed 11/5/63; § 13(12), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-450	Penalty. [§ 11(12), filed 11/5/63; § 11(12), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-575	Exempt licenses—Compensating tax. [§ 13(13), filed 11/5/63; § 13(13), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-455	Compensating tax. [§ 11(13), filed 11/5/63; § 11(13), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-580	Motorcycles—License. [§ 14(1), filed 11/5/63; § 14(1), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-460	Special fee. [§ 11(14), filed 11/5/63; § 11(14), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-585	Motorcycles—For hire. [§ 14(2), filed 11/5/63; § 14(2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-465	Private buses—Hotel. [§ 12(1), filed 11/5/63; § 12(1), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-590	Motorcycles—Scooters and motor bikes. [§ 14(3), filed 11/5/63; § 14(3), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-470	Private buses—Athletic team—Show troupes, etc. [§ 12(2), filed 11/5/63; § 12(2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-595	Motorcycles—Side cars. [§ 14(4), filed 11/5/63; § 14(4), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-475	Private buses—Leased vehicles. [§ 12(3), filed 11/5/63; § 12(3), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-600	Motorcycles—Motorcycle fees. [§ 14(5), filed 11/5/63; § 14(5), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-480	Private buses—School buses. [§ 12(4), filed 11/5/63; § 12(4), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-605	Motorcycles—Excise tax. [§ 14(6), filed 11/5/63; § 14(6), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-485	Private buses—Station wagons. [§ 12(5), filed 11/5/63; § 12(5), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-610	Motorcycles—Penalties. [§ 14(7), filed 11/5/63; § 14(7), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-490	Private buses—Private army buses. [§ 12(6), filed 11/5/63; § 12(6), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-615	Motorcycles—Compensating tax. [§ 14(8), filed 11/5/63; § 14(8), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-495	Private buses—Penalty. [§ 12(7), filed 11/5/63; § 12(7), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-620	Motorcycles—Special fee. [§ 14(9), filed 11/5/63; § 14(9), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-500	Private buses—Excise tax. [§ 12(8), filed 11/5/63; § 12(8), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-625	Motorcycles—Commercial use. [§ 14(10), filed 11/5/63; § 14(10), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-505	Private buses—Compensating tax. [§ 12(9), filed 11/5/63; § 12(9), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-630	Replacement plates and validation stickers—General. [§ 15(1), filed 11/5/63; § 15(1), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-510	Private buses—Special fee. [§ 12(10), filed 11/5/63; § 12(10), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-635	Replacement plates and validation stickers—Fees. [§ 15(2), (3), (4), (5), (6), filed 11/5/63; § 15(2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-515	Exempt licenses—State, districts, federal, and consular. [Order, § 308-96-515, filed 6/29/67; § 13(1), 11/5/63, filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-640	Replacement plates and validation stickers—Filing fees. [§ 15(7), filed 11/5/63; § 15(2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-520	Exempt licenses—Street car buses—Trackless trolleys. [§ 13(2), filed 11/5/63; § 13(2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-645	Replacement plates and validation stickers—Surrender of plates. [§ 15(8), filed 11/5/63; § 15(2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-525	Exempt licenses—Leased vehicles. [§ 13(3), filed 11/5/63; § 13(3), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-646	Personalized plates. [Order 110 MV, § 308-96-646, filed 9/23/71.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-530	Exempt licenses—School buses. [§ 13(4), filed 11/5/63; § 13(4), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-650	Transportation of vehicles with special permits—In transit permit. [§ 16(1), (2), filed 11/5/63; § 16(1), (2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-535	Exempt licenses—School buses—Leased—Under contract. [§ 13(5), filed 11/5/63; § 13(5), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-655	240 hour permit—Foreign licensed commercial vehicles for interstate operations only. [§ 16(3), filed 11/5/63; § 16(3), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-540	Exempt licenses—Sale of exempt vehicle—Removal of license plates. [§ 13(6), filed 11/5/63; § 13(6), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-660	240 hour permit—Application. [§ 16(4), filed 11/5/63; § 16(4), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-545	Exempt licenses—License for leased cars. [§ 13(7), filed 11/5/63; § 13(7), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-665	Excise tax—All vehicles must be taxed—Exemptions. [§ 17(1), filed 11/5/63; § 17(1), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-550	Exempt licenses—Sale from one department to another. [§ 13(8), filed 11/5/63; § 13(8), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.	308-96-670	Excise tax—Hearses and ambulances. [§ 17(2), filed 11/5/63; § 17(2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
308-96-555	Exempt licenses—Transfer from one federal department to another. [§ 13(9), filed 11/5/63; § 13(9), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.		

- 308-96-675 Excise tax—No exemptions for Indians. [§ 17(3), filed 11/5/63; § 17(4), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-680 Excise tax—Tax reduced monthly. [§ 17(4), filed 11/5/63; § 17(5), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-685 Excise tax—Exempt cars purchased by individuals. [§ 17(5), filed 11/5/63; § 17(6), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-690 Excise tax—Station wagons. [§ 17(6), filed 11/5/63; § 17(7), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-695 Excise tax—Buses and stages. [§ 17(7), filed 11/5/63; § 17(8), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-700 Excise tax—Dealer license. [§ 17(8), filed 11/5/63; § 17(9), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-705 Excise tax—Compensating tax. [§ 17(9), filed 11/5/63; § 17(10), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-710 Excise tax—House trailers—Excise tax and licensing. [§ 17(10), filed 11/5/63; § 17(11), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-715 Excise tax—Aircraft. [§ 17(12), filed 11/5/63; § 17(13), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-720 Excise tax—Converter gear. [§ 17(13), filed 11/5/63; § 17(14), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-725 Transfer of class—Change license plates. [§ 18(1), filed 11/5/63; § 18(1), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-730 Transfer of class—From exempt license issued on leased vehicle. [§ 18(2), filed 11/5/63; § 18(2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-735 Transfer of class—No fee where incorrect plate issued. [§ 18(3), filed 11/5/63; § 18(3), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-740 Transfer of class—From one state department to another. [§ 18(4), filed 11/5/63; § 18(4), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-745 Destroyed vehicles—Notice of destruction. [§ 19(1), (2), filed 11/5/63; § 19(1), (2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-750 Destroyed vehicles—Wreckers. [§ 19(3), filed 11/5/63; § 19(3), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-755 Factory delivery—Application. [§ 20(1), filed 11/5/63; § 20(1), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-760 Factory delivery—Plates. [§ 20(2), filed 11/5/63; § 20(2), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-765 Factory delivery—For-hire taxicabs. [§ 20(3), filed 11/5/63; § 20(3), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-770 Factory delivery—For-hire buses or stages. [§ 20(4), filed 11/5/63; § 20(4), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-775 Factory delivery—Tonnage. [§ 20(5), filed 11/5/63; § 20(5), filed 3/23/60.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.
- 308-96-780 Mobile homes, travel trailers—License plates, place of display. [Order 691101, § 308-96-780, filed 11/26/69.] Repealed by Order MV-328, filed 7/24/75. See chapter 308-96A WAC.

Chapter 308-98 SINGLE CAB CARDS

- 308-98-010 Eligibility. [Order 2, § 308-98-010, filed 11/4/68.] Repealed by 81-18-037 (Order DOL 639), filed 8/27/81. Statutory Authority: RCW 46.85.220.
- 308-98-020 Applications. [Order 2, § 308-98-020, filed 11/4/68.] Repealed by 81-18-037 (Order DOL 639), filed 8/27/81. Statutory Authority: RCW 46.85.220.
- 308-98-030 Temporary single cab card permits. [Order 2, § 308-98-030, filed 11/4/68.] Repealed by 81-18-037 (Order DOL

- 639), filed 8/27/81. Statutory Authority: RCW 46.85.-220.
- 308-98-040 Denials and revocations. [Order 2, § 308-98-040, filed 11/4/68.] Repealed by 81-18-037 (Order DOL 639), filed 8/27/81. Statutory Authority: RCW 46.85.220.
- 308-98-050 Procedure for reviewing denials and revocations. [Order 2, § 308-98-050, filed 11/4/68.] Repealed by 81-18-037 (Order DOL 639), filed 8/27/81. Statutory Authority: RCW 46.85.220.
- 308-98-060 Return of canceled single cab cards. [Order 2, § 308-98-060, filed 11/4/68.] Repealed by 81-18-037 (Order DOL 639), filed 8/27/81. Statutory Authority: RCW 46.85.-220.
- 308-98-070 Duplicate single cab cards. [Order 2, § 308-98-070, filed 11/4/68.] Repealed by 81-18-037 (Order DOL 639), filed 8/27/81. Statutory Authority: RCW 46.85.220.
- 308-98-080 Photostatic copies invalid. [Order 2, § 308-98-080, filed 11/4/68.] Repealed by 81-18-037 (Order DOL 639), filed 8/27/81. Statutory Authority: RCW 46.85.220.

Chapter 308-115 MIDWIFERY

- 308-115-010 Examinations for license to practice midwifery. [Order PL 269, § 308-115-010, filed 5/17/77.] Repealed by 82-19-079 (Order PL 406), filed 9/21/82. Statutory Authority: RCW 18.50.135.
- 308-115-020 Assignment of examination numbers to applicants. [Order PL 269, § 308-115-020, filed 5/17/77.] Repealed by 82-19-079 (Order PL 406), filed 9/21/82. Statutory Authority: RCW 18.50.135.
- 308-115-030 Minimum passing score. [Order PL 269, § 308-115-030, filed 5/17/77.] Repealed by 82-19-079 (Order PL 406), filed 9/21/82. Statutory Authority: RCW 18.50.135.
- 308-115-040 Midwives—Examination fee. [Statutory Authority: RCW 43.24.085, 80-14-022 (Order 356), § 308-115-040, filed 9/25/80; Order PL 269, § 308-115-040, filed 5/17/77.] Repealed by 82-19-079 (Order PL 406), filed 9/21/82. Statutory Authority: RCW 18.50.135.
- 308-115-050 Definitions. [Statutory Authority: RCW 18.50.135, 85-23-044 (Order PL 566), § 308-115-050, filed 11/18/85; 82-19-079 (Order PL 406), § 308-115-050, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-010.
- 308-115-060 Application for licensing examination. [Statutory Authority: RCW 18.50.135, 82-19-079 (Order PL 406), § 308-115-060, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-060.
- 308-115-065 Application for examination—Out-of-state education. [Statutory Authority: RCW 18.50.135, 89-16-037 (Order PM 856), § 308-115-065, filed 7/25/89, effective 8/25/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-065.
- 308-115-070 Release of examination results. [Statutory Authority: RCW 18.50.135, 82-19-079 (Order PL 406), § 308-115-070, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-070.
- 308-115-080 Failures. [Statutory Authority: RCW 18.50.135, 82-19-079 (Order PL 406), § 308-115-080, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-834-080.
- 308-115-090 Purpose of accreditation of midwifery educational programs. [Statutory Authority: RCW 18.50.135, 82-19-079 (Order PL 406), § 308-115-090, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-834-090.
- 308-115-100 Philosophy, purpose and objectives of an accredited midwifery educational program. [Statutory Authority: RCW 18.50.135, 82-19-079 (Order PL 406), § 308-115-100, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-100.
- 308-115-110 Advisory body. [Statutory Authority: RCW 18.50.135, 82-19-079 (Order PL 406), § 308-115-110, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed

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Title 308 WAC: Department of Licensing

308-115-120	12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-110. Learning sites. [Statutory Authority: RCW 18.50.135. 82-19-079 (Order PL 406), § 308-115-120, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-120.	308-115-250	Legend drugs and devices. [Statutory Authority: RCW 18.50.040(3) and 18.50.115. 88-12-040 (Order PM 732), § 308-115-250, filed 5/27/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-250.
308-115-130	Staffing and teacher qualifications. [Statutory Authority: RCW 18.50.045. 86-16-012 (Order PM 608), § 308-115-130, filed 7/25/86. Statutory Authority: RCW 18.50.135. 82-19-079 (Order PL 406), § 308-115-130, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-130.	308-115-260	General provisions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-115-260, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-260.
308-115-140	Curriculum. [Statutory Authority: RCW 18.50.135. 87-21-011 (Order PM 686), § 308-115-140, filed 10/9/87; 85-23-044 (Order PL 566), § 308-115-140, filed 11/18/85; 82-19-079 (Order PL 406), § 308-115-140, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-140.	308-115-270	Mandatory reporting. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-115-270, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-270.
308-115-150	Students. [Statutory Authority: RCW 18.50.135. 85-23-044 (Order PL 566), § 308-115-150, filed 11/18/85; 82-19-079 (Order PL 406), § 308-115-150, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-150.	308-115-280	Health care institutions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-115-280, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-280.
308-115-160	Student midwife permit. [Statutory Authority: RCW 18.50.135. 82-19-079 (Order PL 406), § 308-115-160, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-160.	308-115-290	Midwifery associations or societies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-115-290, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-290.
308-115-170	Reports to the director of department of licensing by accredited midwifery educational programs. [Statutory Authority: RCW 18.50.135. 82-19-079 (Order PL 406), § 308-115-170, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-170.	308-115-300	Uniform Disciplinary Act. [Statutory Authority: 1984 c 279 § 36. 84-21-095 (Order PL 488), § 308-115-300, filed 10/19/84, effective 8/1/85.] Repealed by 85-19-038 (Order PL 557), filed 9/12/85. Statutory Authority: RCW 18.50.125.
308-115-180	Application for accreditation. [Statutory Authority: RCW 18.50.045. 86-16-012 (Order PM 608), § 308-115-180, filed 7/25/86. Statutory Authority: RCW 18.50.135. 82-19-079 (Order PL 406), § 308-115-180, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-180.	308-115-310	Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-115-310, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-834-310.
308-115-190	School survey visits. [Statutory Authority: RCW 18.50.135. 85-23-044 (Order PL 566), § 308-115-190, filed 11/18/85; 82-19-079 (Order PL 406), § 308-115-190, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-190.	308-115-320	Professional liability carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-115-320, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-320.
308-115-200	Appeal of department of licensing decisions. [Statutory Authority: RCW 18.50.135. 82-19-079 (Order PL 406), § 308-115-200, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-200.	308-115-330	Courts. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-115-330, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-834-330.
308-115-210	Closure of an accredited school of midwifery. [Statutory Authority: RCW 18.50.135. 82-19-079 (Order PL 406), § 308-115-210, filed 9/21/82.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-210.	308-115-340	State and federal agencies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-115-340, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-340.
308-115-220	Credit toward educational requirements for licensure. [Statutory Authority: RCW 18.50.040(3) and 18.50.-115. 88-12-040 (Order PM 732), § 308-115-220, filed 5/27/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-220.	308-115-350	Cooperation with investigation. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-115-350, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-350.
308-115-230	Preceptor for midwife-in-training program. [Statutory Authority: RCW 18.50.040(3) and 18.50.115. 88-12-040 (Order PM 732), § 308-115-230, filed 5/27/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-834-230.	308-115-400	Fees. [Statutory Authority: RCW 18.50.135. 82-19-079 (Order PL 406), § 308-115-400, filed 9/21/82.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-115-405.
308-115-240	Trainee permit for midwife-in-training program. [Statutory Authority: RCW 18.50.040(3) and 18.50.115. 88-12-040 (Order PM 732), § 308-115-240, filed 5/27/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-834-240.	308-115-405	Midwifery fees. [Statutory Authority: RCW 43.70.250. 90-04-094 (Order 029), § 308-115-405, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 18.50.135. 89-08-008 (Order PM 827), § 308-115-405, filed 3/24/89. Statutory Authority: RCW 43.24.086. 87-18-031 (Order PM 667), § 308-115-405, filed 8/27/87. Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-115-405, filed 8/10/83. Formerly WAC 308-115-400.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-990.
		308-115-500	AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 88-22-077 (Order PM 786), § 308-115-500, filed 11/2/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-834-500.

**Chapter 308-116
PRACTICAL NURSES**

308-116-005	Definitions. [Order PL 189, § 308-116-005, filed 5/23/75; Order PL-131, § 308-116-005, filed 9/1/72.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050. Later promulgation, see WAC 308-117-010.	308-116-110	061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050.
308-116-010	Functions of a licensed practical nurse. [Order PL-131, § 308-116-010, filed 9/1/72; § 308-116-010, filed 8/3/66; Rule A (part), filed 8/30/63.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050. Later promulgation, see WAC 308-117-020.	308-116-120	Selection of students and the student program. [Order PL-131, § 308-116-110, filed 9/1/72; § 308-116-110, filed 8/3/66; Rule E, filed 8/30/63.] Repealed by Order PL 189, filed 5/23/75.
308-116-020	Organization of a course in practical nursing. [Order PL 189, § 308-116-020, filed 5/23/75; Order PL-131, § 308-116-020, filed 9/1/72; § 308-116-020, filed 8/3/66; Rule B, filed 8/30/63.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050.	308-116-121	Tentative approval and approval of a course in practical nursing. [§ 308-116-120, filed 8/3/66; Rule F, filed 8/30/63.] Repealed by Order PL-131, filed 9/1/72.
308-116-024	Faculty. [Order PL 251, § 308-116-024, filed 6/7/76; Order PL 189, § 308-116-024, filed 5/23/75.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050.	308-116-130	Approval of a program in practical nursing. [Order PL-131, § 308-116-121, filed 9/1/72.] Repealed by Order PL 189, filed 5/23/75.
308-116-030	Length of the course. [§ 308-116-030, filed 8/3/66; Rule C (part), filed 8/30/63; Rules (part), filed 3/23/60.] Repealed by Order PL-131, filed 9/1/72.	308-116-150	Records and brochures. [Order PL-131, § 308-116-130, filed 9/1/72; § 308-116-130, filed 8/3/66; Rule G, filed 8/30/63.] Repealed by Order PL 189, filed 5/23/75.
308-116-031	Curriculum. [Order PL-131, § 308-116-031, filed 9/1/72.] Repealed by Order PL 189, filed 5/23/75.	308-116-160	Short night school classes. [Rule 1, filed 3/23/60.] Deleted by Rules, filed 8/3/66.
308-116-034	Classroom teaching facilities. [Order PL 189, § 308-116-034, filed 5/23/75.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050.	308-116-170	Correspondence courses. [§ 308-116-160, filed 8/3/66; Rule 2, filed 3/23/60.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050.
308-116-038	Curriculum. [Order PL 189, § 308-116-038, filed 5/23/75.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050.	308-116-180	Professional nurse training—Present equivalency clause. [§ 308-116-170, filed 8/3/66; Rule 3, filed 3/23/60.] Repealed by Order PL 189, filed 5/23/75.
308-116-040	Course content. [Order PL 189, § 308-116-040, filed 5/23/75; Order PL-131, § 308-116-040, filed 9/1/72; § 308-116-040, filed 8/3/66; Rule C (part), filed 5/14/65, 8/30/63.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050.	308-116-190	State board examinations. [Order PL-131, § 308-116-180, filed 9/1/72; § 308-116-180, filed 8/3/66; Rule 5, filed 3/23/60.] Repealed by Order PL 189, filed 5/23/75.
308-116-050	Physical facilities for classroom teaching. [Order PL-131, § 308-116-050, filed 9/1/72; § 308-116-050, filed 8/3/66; Rule C (part), filed 8/30/63.] Repealed by Order PL 189, filed 5/23/75.	308-116-200	Certificate of moral character for candidates qualifying under equivalency clause or interstate registration. [Rule 6, filed 3/23/60.] Repealed by Order PL 189, filed 5/23/75.
308-116-052	Clinical practice areas. [Order PL 189, § 308-116-052, filed 5/23/75.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050. Later promulgation, see WAC 308-117-180.	308-116-230	Procedure regarding approval of new courses. [Rule 7, filed 3/23/60.] Repealed by Order PL-131, filed 9/1/72.
308-116-058	Selection of students and the student program. [Order PL 189, § 308-116-058, filed 5/23/75.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050.	308-116-240	Advisory committee to board of practical nurse examiners. [Rule 8, filed 3/23/60.] Repealed by Order PL-131, filed 9/1/72.
308-116-060	Hospital orientation period. [Order PL-131, § 308-116-060, filed 9/1/72; § 308-116-060, filed 8/3/66; Rule C (part), filed 8/30/63.] Repealed by Order PL 189, filed 5/23/75.	308-116-250	Minimum age of applicants to write state board examination. [Rule 9, filed 3/23/60.] Deleted by Rules, filed 8/3/66.
308-116-070	Clinical practice areas. [Order PL-131, § 308-116-070, filed 9/1/72; § 308-116-070, filed 8/3/66; Rule C (part), filed 8/30/63.] Repealed by Order PL 189, filed 5/23/75.	308-116-260	Candidates who have not completed the course when examination is given. [Rule 10, filed 3/23/60.] Deleted by Rules, filed 8/3/66.
308-116-080	Periods of duty on hospital wards. [§ 308-116-080, filed 8/3/66; Rule C (part), filed 8/30/63.] Repealed by Order PL-131, filed 9/1/72.	308-116-270	Readmissions, transfers, withdrawals. [Order PL-131, § 308-116-260, filed 9/1/72; § 308-116-260, filed 8/3/66; Rule 11, filed 3/23/60.] Repealed by Order PL 189, filed 5/23/75.
308-116-082	Records and brochures. [Order PL 189, § 308-116-082, filed 5/23/75.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050.	308-116-280	Classwork or practical experience gained by applicant previous to enrollment in course in practical nursing. [§ 308-116-270, filed 8/3/66; Rule 12, filed 3/23/60.] Repealed by Order PL 189, filed 5/23/75.
308-116-090	Supervision of student practical nurse. [Order PL-131, § 308-116-090, filed 9/1/72; § 308-116-090, filed 8/3/66; Rule C (part), filed 8/30/63.] Repealed by Order PL 189, filed 5/23/75.	308-116-290	Renewal of licenses. [Order 208, § 308-116-280, filed 11/5/75; Order 138, § 308-116-280, filed 12/5/72.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050. Later promulgation, see WAC 308-117-100.
308-116-092	State board licensing examination. [Order PL 189, § 308-116-092, filed 5/23/75.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050.	308-116-295	Examinations. [Order 139, § 308-116-290, filed 12/5/72.] Repealed by Order PL 189, filed 5/23/75.
308-116-098	Readmissions, transfers, withdrawals. [Order PL 189, § 308-116-098, filed 5/23/75.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050. Later promulgation, see WAC 308-117-170.	308-116-300	Licensure qualifications and procedures. [Statutory Authority: RCW 18.78.150. 83-05-033 (Order PL 427), § 308-116-295, filed 2/10/83; 78-10-049 (Order PL-290), § 308-116-295, filed 9/21/78; Order PL 189, § 308-116-295, filed 5/23/75.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050. Later promulgation, see WAC 308-117-030.
308-116-100	Faculty. [Order PL-131, § 308-116-100, filed 9/1/72; § 308-116-100, filed 8/3/66; Rule D, filed 8/30/63.] Repealed by Order PL 189, filed 5/23/75.	308-116-310	Certification of licensure. [Order 139, § 308-116-300, filed 12/5/72.] Repealed by 84-01-061 (Order PL 452), filed 12/19/83. Statutory Authority: RCW 18.78.050.
308-116-102	Approval of program in practical nursing. [Order PL 189, § 308-116-102, filed 5/23/75.] Repealed by 84-01-	308-116-325	Licensed practical nurses—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-116-310, filed 9/25/80; Order 208, § 308-116-310, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-116-325.
			Fees. [Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-116-325, filed 8/10/83. Formerly WAC 308-116-310.] Repealed by 87-10-028 (Order PM 650), filed 5/1/87. Statutory Authority: RCW 43.24.086.

**Chapter 308-117
PRACTICAL NURSES**

Definitions. [Statutory Authority: RCW 18.78.050, 18.78.054, 18.78.060, 18.78.072, 18.78.090, 18.78.225,

	18.130.050 and 70.24.270. 88-24-017 (Order PM 768), § 308-117-010, filed 12/1/88. Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-010, filed 12/19/83. Formerly WAC 308-116-005.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78-050. Recodified as WAC 246-838-010.		
308-117-020	Functions of a licensed practical nurse. [Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-020, filed 12/19/83. Formerly WAC 308-116-010.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-020.	308-117-095	Documents which indicate authorization to practice practical nursing in Washington. [Statutory Authority: RCW 18.78.050, 18.78.054, 18.78.060, 18.130.050 and SHB 1404, 1988 c 211. 88-18-005 (Order PM 768), § 308-117-095, filed 8/25/88.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-100.
308-117-025	Standards of conduct for discipline for licensed practical nurses. [Statutory Authority: RCW 18.78.050, 18.130.050 (1) and (12) and 1986 c 259 §§ 19, 128 and 131. 86-18-031 (Order PM 612), § 308-117-025, filed 8/27/86. Statutory Authority: RCW 18.78.050. 86-01-084 (Order PL 574), § 308-117-025, filed 12/18/85.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78-050. Recodified as WAC 246-838-030.	308-117-100	Renewal of licenses. [Statutory Authority: RCW 18.78.050, 18.78.054, 18.78.060, 18.78.072, 18.78.090, 18.78.225, 18.130.050 and 70.24.270. 88-24-017 (Order PM 768), § 308-117-100, filed 12/1/88. Statutory Authority: RCW 18.78.050, 18.78.054, 18.78.060, 18.130.050 and SHB 1404, 1988 c 211. 88-18-005 (Order PM 768), § 308-117-100, filed 8/25/88. Statutory Authority: RCW 18.78.050, 18.130.050 (1) and (12) and 1986 c 259 §§ 19, 128 and 131. 86-18-031 (Order PM 612), § 308-117-100, filed 8/27/86. Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-100, filed 12/19/83. Formerly WAC 308-116-280.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-120.
308-117-030	Licensure qualifications. [Statutory Authority: RCW 18.78.050, 18.78.054, 18.78.060, 18.78.072, 18.78.090, 18.78.225, 18.130.050 and 70.24.270. 88-24-017 (Order PM 768), § 308-117-030, filed 12/1/88. Statutory Authority: RCW 18.78.050, 18.78.054, 18.78.060, 18.130.050 and SHB 1404, 1988 c 211. 88-18-005 (Order PM 768), § 308-117-030, filed 8/25/88. Statutory Authority: 18.78.050, 18.78.060 and 18.130.050. 88-08-034 (Order PM 718), § 308-117-030, filed 4/1/88. Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-030, filed 12/19/83. Formerly WAC 308-116-295.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-040.	308-117-105	Return to active status from inactive or lapsed status. [Statutory Authority: RCW 18.78.050, 18.78.054, 18.78.060, 18.130.050 and SHB 1404, 1988 c 211. 88-18-005 (Order PM 768), § 308-117-105, filed 8/25/88.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78-050. Recodified as WAC 246-838-130.
308-117-040	Licensing examination and passing score. [Statutory Authority: RCW 18.78.050, 18.78.054, 18.78.060, 18.130.050 and SHB 1404, 1988 c 211. 88-18-005 (Order PM 768), § 308-117-040, filed 8/25/88. Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-040, filed 12/19/83.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-050.	308-117-110	Establishment of new practical nursing program. [Statutory Authority: RCW 18.78.050, 84-01-061 (Order PL 452), § 308-117-110, filed 12/19/83.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-140.
308-117-050	Release of results of examination. [Statutory Authority: RCW 18.78.050, 18.78.054, 18.78.060, 18.130.050 and SHB 1404, 1988 c 211. 88-18-005 (Order PM 768), § 308-117-050, filed 8/25/88. Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-050, filed 12/19/83.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-060.	308-117-120	Survey visits. [Statutory Authority: RCW 18.78.050, 84-01-061 (Order PL 452), § 308-117-120, filed 12/19/83.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-150.
308-117-060	Filing of application for licensing examination. [Statutory Authority: RCW 18.78.050, 18.78.054, 18.78.060, 18.78.072, 18.78.090, 18.78.225, 18.130.050 and 70.24.270. 88-24-017 (Order PM 768), § 308-117-060, filed 12/1/88. Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-060, filed 12/19/83.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78-050. Recodified as WAC 246-838-070.	308-117-130	Board action following survey visits. [Statutory Authority: RCW 18.78.050 and 18.130.050. 87-17-021 (Order PM 672), § 308-117-130, filed 8/12/87. Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-130, filed 12/19/83.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-160.
308-117-070	Failures—Repeat examination. [Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-070, filed 12/19/83.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-080.	308-117-140	Termination of a suspension. [Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-140, filed 12/19/83.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-170.
308-117-080	Licensure of graduates of foreign schools of nursing. [Statutory Authority: RCW 18.78.050, 18.78.060, 18.78.070 and 18.130.050. 89-10-075 (Order PM 835), § 308-117-080, filed 5/3/89; 88-05-011 (Order PM 705), § 308-117-080, filed 2/9/88. Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-080, filed 12/19/83.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-090.	308-117-150	Student records. [Statutory Authority: RCW 18.78.050, 84-01-061 (Order PL 452), § 308-117-150, filed 12/19/83.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-180.
308-117-090	Licensure by interstate endorsement. [Statutory Authority: RCW 18.78.050, 18.78.054, 18.78.060, 18.78.072, 18.78.090, 18.78.225, 18.130.050 and 70.24.270. 88-24-017 (Order PM 768), § 308-117-090, filed 12/1/88. Statutory Authority: RCW 18.78.050, 18.78.054,	308-117-160	Statement of completion of the course. [Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-160, filed 12/19/83.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-190.
		308-117-170	Readmissions, transfers. [Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-170, filed 12/19/83. Formerly WAC 308-116-098.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-200.
		308-117-180	Clinical practice areas. [Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-180, filed 12/19/83. Formerly WAC 308-116-052.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-210.

	tive 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-210.	308-120-012	Responsibilities—Employer, school of nursing, and nursing aide. [Order 5, § 308-120-012, filed 5/1/68; Interpretative Rule (part), effective 1/8/62.] Repealed by Order PL-124, filed 5/26/72.
308-117-190	Structure for curriculum implementation. [Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-190, filed 12/19/83.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-220.	308-120-015	Interpretation of terms appearing in RCW 18.88.280 (Professional nurse practice act). [Order 5, § 308-120-015, filed 5/1/68; Rules (part), filed 1/8/63.] Repealed by Order PL-124, filed 5/26/72.
308-117-200	Curriculum standards in an approved practical nursing program. [Statutory Authority: RCW 18.78.050 and 18.130.050. 87-17-021 (Order PM 672), § 308-117-200, filed 8/12/87. Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-200, filed 12/19/83.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-230.	308-120-020	Policy regarding psychiatric nursing requirement of graduates of out-of-state schools of nursing. [Rules (part), filed 1/8/63; Rule I, filed 3/13/61.] Repealed by Order 120-70-1, filed 8/19/70.
308-117-300	Curriculum content. [Statutory Authority: RCW 18.78.050 and 18.130.050. 87-17-021 (Order PM 672), § 308-117-300, filed 8/12/87. Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-300, filed 12/19/83.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-240.	308-120-021	Reciprocity, declaration of policy. [Order 120-70-1, § 308-120-021, filed 8/19/70.] Repealed by Order PL-124, filed 5/26/72.
308-117-360	AIDS education and training. [Statutory Authority: RCW 18.78.050, 18.78.054, 18.78.060, 18.78.072, 18.78.090, 18.78.225, 18.130.050 and 70.24.270. 88-24-017 (Order PM 768), § 308-117-360, filed 12/1/88.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-250.	308-120-025	Applications by foreign nurses. [Order 120-70-1, § 308-120-025, filed 8/19/70; Order 5, § 308-120-025, filed 5/1/68; Rule II, filed 3/13/61.] Repealed by Order PL-124, filed 5/26/72.
308-117-400	Standards/competencies. [Statutory Authority: RCW 18.78.050. 84-01-061 (Order PL 452), § 308-117-400, filed 12/19/83.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-260.	308-120-030	Policy regarding licensing of graduates of U. S. naval hospital corps schools. [Rule III, filed 3/13/61.] Repealed by Order PL-124, filed 5/26/72.
308-117-410	Criteria for approved refresher course. [Statutory Authority: RCW 18.78.050, 18.78.054, 18.78.060, 18.130.050 and SHB 1404, 1988 c 211. 88-18-005 (Order PM 768), § 308-117-410, filed 8/25/88.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-270.	308-120-040	Policy regarding qualification for hospitals used for clinical facilities. [Order 5, § 308-120-040, filed 5/1/68; Rules, filed 1/20/66.] Repealed by Order PL-124, filed 5/26/72.
308-117-420	Scope of practice—Advisory opinions. [Statutory Authority: RCW 18.78.050, 18.78.054, 18.78.060, 18.130.050 and SHB 1404, 1988 c 211. 88-18-005 (Order PM 768), § 308-117-420, filed 8/25/88.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-280.	308-120-050	Accreditation of a school of professional nursing. [Order 5, § 308-120-050, filed 5/1/68.] Repealed by Order PL-124, filed 5/26/72.
308-117-460	Terms used in WAC 308-117-460 through 308-117-480. [Statutory Authority: RCW 18.78.050, [18.78.]054, 18.130.050 and [18.130.]175. 89-07-005 (Order PM 823), § 308-117-460, filed 3/3/89.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-290.	308-120-060	High school equivalency. [Order 5, § 308-120-060, filed 5/1/68.] Repealed by Order PL-124, filed 5/26/72.
308-117-470	Approval of substance abuse monitoring programs. [Statutory Authority: RCW 18.78.050, [18.78.]054, 18.130.050 and [18.130.]175. 89-07-005 (Order PM 823), § 308-117-470, filed 3/3/89.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-300.	308-120-070	Examinations. [Order PL-109, § 308-120-070, filed 6/4/71; Order 5, § 308-120-070, filed 5/1/68.] Repealed by Order PL-124, filed 5/26/72.
308-117-480	Participation in approved substance abuse monitoring program. [Statutory Authority: RCW 18.78.050, [18.78.]054, 18.130.050 and [18.130.]175. 89-07-005 (Order PM 823), § 308-117-480, filed 3/3/89.] Decodified by 91-01-078 (Order 109B), filed 12/17/90, effective 1/31/91. Statutory Authority: RCW 18.78.050. Recodified as WAC 246-838-310.	308-120-080	Documents which indicate authorization to practice professional nursing in Washington. [Order 5, § 308-120-080, filed 5/1/68.] Repealed by Order PL-124, filed 5/26/72.
308-117-500	Practical nurse fees. [Statutory Authority: RCW 43.70.250. 90-04-094 (Order 029), § 308-117-500, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086. 88-20-075 (Order 783), § 308-117-500, filed 10/5/88; 87-10-028 (Order PM 650), § 308-117-500, filed 5/1/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-838-990.	308-120-100	Definitions. [Statutory Authority: RCW 18.88.080, 18.88.140, 18.130.175 and 70.24.270. 88-23-035 (Order PM 795), § 308-120-100, filed 11/9/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-100, filed 7/28/88. Statutory Authority: RCW 18.88.080. 81-04-007 (Order PL 370), § 308-120-100, filed 1/27/81; 80-04-072 (Order PL 339), § 308-120-100, filed 3/27/80; Order PL-124, § 308-120-100, filed 5/26/72.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-010.
		308-120-110	Reciprocity, declaration of policy. [Order PL-124, § 308-120-110, filed 5/26/72.] Repealed by Order PL 196, filed 7/25/75.
		308-120-115	Applications by foreign nurses. [Order PL-124, § 308-120-115, filed 5/26/72.] Repealed by Order PL 196, filed 7/25/75.
		308-120-120	Policy regarding licensing of graduates of U.S. naval hospital corps schools. [Order PL-124, § 308-120-120, filed 5/26/72.] Repealed by 80-04-072 (Order PL 339), filed 3/27/80. Statutory Authority: RCW 18.88.080.
		308-120-130	Minimum standards for accredited schools of nursing. [Order PL-124, § 308-120-130, filed 5/26/72.] Repealed by 80-04-072 (Order PL 339), filed 3/27/80. Statutory Authority: RCW 18.88.080.
		308-120-140	Procedures for accreditation of schools of nursing. [Order PL-124, § 308-120-140, filed 5/26/72.] Repealed by 80-04-072 (Order PL 339), filed 3/27/80. Statutory Authority: RCW 18.88.080.
		308-120-150	High school equivalency. [Order PL-124, § 308-120-150, filed 5/26/72.] Repealed by Order PL 196, filed 7/25/75.
		308-120-160	Licensure qualifications and requirements—Examinations. [Statutory Authority: RCW 18.88.080. 78-05-085 (Order PL 288, Resolution 78-143), § 308-120-160, filed 5/2/78; Order PL 196, § 308-120-160, filed 7/25/75; Order PL 153, § 308-120-160, filed 11/26/73; Order PL 124, § 308-120-160, filed 5/26/72.] Repealed by 81-04-007 (Order PL 370), filed 1/27/81. Statutory Authority: RCW 18.88.080.
		308-120-161	Qualification/eligibility to write the licensing examination. [Statutory Authority: RCW 18.88.080, 18.88.140, 18.130.175 and 70.24.270. 88-23-035 (Order PM 795),

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	§ 308-120-161, filed 11/9/88. Statutory Authority: RCW 18.88.080. 82-01-012 (Order PL 387), § 308-120-161, filed 12/7/81; 81-04-007 (Order PL 370), § 308-120-161, filed 1/27/81.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-030.		18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-170, filed 7/28/88. Statutory Authority: RCW 18.88.080. 85-24-027 (Order PL 569), § 308-120-170, filed 11/26/85; 81-10-026 (Order PL 377), § 308-120-170, filed 4/28/81; Order PL 196, § 308-120-170, filed 7/25/75; Order PL 124, § 308-120-170, filed 5/26/72.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-020.
308-120-162	Filing of application for licensing examination. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.130.050, 18.130.070 and 18.130.180. 87-23-050 (Order PM 691), § 308-120-162, filed 11/18/87. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-162, filed 11/3/82. Statutory Authority: RCW 18.88.080. 81-04-007 (Order PL 370), § 308-120-162, filed 1/27/81.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-040.	308-120-180	Renewal of licenses. [Statutory Authority: RCW 18.88.080, 18.88.140, 18.130.175 and 70.24.270. 88-23-035 (Order PM 795), § 308-120-180, filed 11/9/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-180, filed 7/28/88. Statutory Authority: RCW 18.88.080. 83-24-048 (Order PL 449), § 308-120-180, filed 12/2/83; Order PL 216, § 308-120-180, filed 11/5/75; Order PL 134, § 308-120-180, filed 10/13/72.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-110.
308-120-163	Licensing examination. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-163, filed 7/28/88. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-163, filed 11/3/82. Statutory Authority: RCW 18.88.080. 81-04-007 (Order PL 370), § 308-120-163, filed 1/27/81.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-050.	308-120-18001	Temporary retirement. [Order PL 153, § 308-120-18001, filed 11/26/73.] Repealed by Order PL 252, filed 7/9/76. Later promulgation, see WAC 308-120-185.
308-120-164	Release of results of examination. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-164, filed 7/28/88. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-164, filed 11/3/82. Statutory Authority: RCW 18.88.080. 81-04-007 (Order PL 370), § 308-120-164, filed 1/27/81.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-060.	308-120-185	Return to active status from inactive or lapsed status. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-185, filed 7/28/88. Statutory Authority: RCW 18.88.080. 81-04-007 (Order PL 370), § 308-120-185, filed 1/27/81; 78-05-085 (Order PL 288, Resolution 78-143), § 308-120-185, filed 5/2/78; Order PL 258, § 308-120-185, filed 12/7/76. Formerly WAC 308-120-18001.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-120.
308-120-165	Failures—Repeat examination. [Statutory Authority: RCW 18.88.080. 90-04-059, § 308-120-165, filed 2/2/90, effective 3/5/90. Statutory Authority: RCW 18.88.080, 18.88.086, 18.130.050, 18.130.070 and 18.130.180. 87-23-050 (Order PM 691), § 308-120-165, filed 11/18/87. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-165, filed 11/3/82. Statutory Authority: RCW 18.88.080. 81-04-007 (Order PL 370), § 308-120-165, filed 1/27/81.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-070.	308-120-186	Criteria for approved refresher course. [Statutory Authority: RCW 18.88.080, 18.88.086 and 18.130.050. 88-05-010 (Order PM 704), § 308-120-186, filed 2/9/88. Statutory Authority: RCW 18.88.080. 79-06-025 (Order PL-305), § 308-120-186, filed 5/15/79.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-130.
308-120-166	Applicants previously licensed in a foreign country. [Statutory Authority: RCW 18.88.080, 18.88.140, 18.130.175 and 70.24.270. 88-23-035 (Order PM 795), § 308-120-166, filed 11/9/88. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-166, filed 11/3/82. Statutory Authority: RCW 18.88.080. 81-04-007 (Order PL 370), § 308-120-166, filed 1/27/81.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-080.	308-120-190	Advanced registered nurse application requirements. [Order PL 258, § 308-120-190, filed 12/7/76; Order PL 252, § 308-120-190, filed 7/9/76; Order PL 182, § 308-120-190, filed 11/21/74, effective 2/1/75.] Repealed by Order PL 270, filed 6/16/77.
308-120-168	Licensure by interstate endorsement. [Statutory Authority: RCW 18.88.080, [18.88].086, [18.88].130, [18.88].140, [18.88].150, 18.130.050 and 70.24.270. 89-12-032 (Order PM 846), § 308-120-168, filed 6/1/89. Statutory Authority: RCW 18.88.080, 18.88.140, 18.130.175 and 70.24.270. 88-23-035 (Order PM 795), § 308-120-168, filed 11/9/88. Statutory Authority: RCW 18.88.080. 81-04-007 (Order PL 370), § 308-120-168, filed 1/27/81.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-090.	308-120-191	Advanced registered nurse program of study criteria. [Order PL 252, § 308-120-191, filed 7/9/76.] Repealed by Order PL 270, filed 6/16/77.
308-120-170	Documents which indicate authorization to practice registered nursing in Washington. [Statutory Authority: RCW 18.88.080, [18.88].086, [18.88].110, [18.88].130, [18.88].140, [18.88].175, [18.88].280 and 18.130.050. 89-12-033 (Order PM 847), § 308-120-170, filed 6/1/89. Statutory Authority: RCW 18.88.080, 18.88.086,	308-120-192	Alternative satisfaction of program of study requirement. [Order PL 258, § 308-120-192, filed 12/7/76.] Repealed by Order PL 270, filed 6/16/77.
		308-120-200	Advanced registered nurse authorized practice. [Order PL 182, § 308-120-200, filed 11/21/74, effective 2/1/75.] Repealed by Order PL 270, filed 6/16/77.
		308-120-210	Specialized registered nurse application requirements. [Order PL 252, § 308-120-210, filed 7/9/76; Order PL 182, § 308-120-210, filed 11/21/74, effective 2/1/75.] Repealed by Order PL 270, filed 6/16/77.
		308-120-220	Specialized registered nurse authorized practice. [Order PL 182, § 308-120-220, filed 11/21/74, effective 2/1/75.] Repealed by Order PL 270, filed 6/16/77.
		308-120-230	ARN/SRN registration. [Order PL 182, § 308-120-230, filed 11/21/74, effective 2/1/75.] Repealed by Order PL 270, filed 6/16/77.
		308-120-240	ARN/SRN renewal. [Order PL 258, § 308-120-240, filed 12/7/76; Order PL 182, § 308-120-240, filed 11/21/74, effective 2/1/75.] Repealed by Order PL 270, filed 6/16/77.
		308-120-250	ARN/SRN violations. [Order PL 182, § 308-120-250, filed 11/21/74, effective 2/1/75.] Repealed by Order PL 270, filed 6/16/77.
		308-120-260	Registered nurse—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-120-260, filed 9/25/80. Statutory Authority: RCW 18.88.160 and 43.24.085. 79-11-087 (Order PL 291), § 308-120-260,

	filed 10/24/79. Statutory Authority: RCW 43.24.085. 78-10-050 (Order PL-291), § 308-120-260, filed 9/21/78; Order PL 216, § 308-120-260, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-120-275.	308-120-338	Application requirements for ARNP interim permit. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-338, filed 7/28/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-350.
308-120-270	Provision for continuity of drug therapy for residents. [Statutory Authority: RCW 18.88.080. 83-12-026 (Order PL 436), § 308-120-270, filed 5/25/83.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-810.	308-120-340	CRN approved associations and/or certifying boards. [Statutory Authority: RCW 18.88.080. 78-05-085 (Order PL 288, Resolution 78-143), § 308-120-340, filed 5/2/78.] Repealed by 82-22-091 (Order PL 410), filed 11/3/82. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140.
308-120-275	Registered nurse fees. [Statutory Authority: RCW 43.70.250. 90-04-094 (Order 029), § 308-120-275, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086. 88-20-075 (Order 783), § 308-120-275, filed 10/5/88; 87-10-028 (Order PM 650), § 308-120-275, filed 5/1/87. Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-120-275, filed 8/10/83. Formerly WAC 308-120-260.] Decodified by 91-07-048 (Order 132), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-839-990.	308-120-345	Renewal of ARNP designation. [Statutory Authority: RCW 18.88.080. 85-24-027 (Order PL 569), § 308-120-345, filed 11/26/85. Statutory Authority: RCW 18.88.030 and 18.88.080. 83-04-051 (Order PL 424), § 308-120-345, filed 2/1/83.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-360.
308-120-300	Advanced registered nurse practitioner. [Statutory Authority: RCW 18.88.080. 85-24-027 (Order PL 569), § 308-120-300, filed 11/26/85. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-300, filed 11/3/82; Order PL 270, § 308-120-300, filed 6/16/77.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-300.	308-120-350	CRN certification program. [Statutory Authority: RCW 18.88.080. 78-05-085 (Order PL 288, Resolution 78-143), § 308-120-350, filed 5/2/78.] Repealed by 82-22-091 (Order PL 410), filed 11/3/82. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140.
308-120-305	Use of nomenclature. [Statutory Authority: RCW 18.88.080, [18.88].086, [18.88].110, [18.88].130, [18.88].140, [18.88].175, [18.88].280 and 18.130.050. 89-12-033 (Order PM 847), § 308-120-305, filed 6/1/89. Statutory Authority: RCW 18.88.080. 85-24-027 (Order PL 569), § 308-120-305, filed 11/26/85. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-305, filed 11/3/82; Order PL 270, § 308-120-305, filed 6/16/77.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-310.	308-120-355	Termination of certification by the certification program. [Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-355, filed 11/3/82.] Repealed by 85-24-027 (Order PL 569), filed 11/26/85. Statutory Authority: RCW 18.88.080.
308-120-310	Certification programs approved by the board. [Order PL 270, § 308-120-310, filed 6/16/77.] Repealed by 82-22-091 (Order PL 410), filed 11/3/82. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140.	308-120-360	Termination of ARNP designation by the board. [Statutory Authority: RCW 18.88.080, 18.88.086 and 18.130.050. 88-18-082 (Order PM 760), § 308-120-360, filed 9/6/88. Statutory Authority: RCW 18.88.080. 85-24-027 (Order PL 569), § 308-120-360, filed 11/26/85. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-360, filed 11/3/82.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-370.
308-120-315	Certification and certification program. [Statutory Authority: RCW 18.88.080. 85-24-027 (Order PL 569), § 308-120-315, filed 11/26/85. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-315, filed 11/3/82.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-320.	308-120-365	CRN recognition at effective date. [Statutory Authority: RCW 18.88.080. 85-24-027 (Order PL 569), § 308-120-365, filed 11/26/85. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-365, filed 11/3/82.] Repealed by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91.
308-120-320	Scope of practice of certified registered nurse. [Order PL 270, § 308-120-320, filed 6/16/77.] Repealed by 82-22-091 (Order PL 410), filed 11/3/82. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140.	308-120-400	ARNP with prescriptive authorization. [Statutory Authority: RCW 18.88.080. 85-24-027 (Order PL 569), § 308-120-400, filed 11/26/85; 83-16-065 (Order PL 441), § 308-120-400, filed 8/2/83. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-400, filed 11/3/82. Statutory Authority: RCW 18.88.080. 79-09-038 (Order PL-310), § 308-120-400, filed 8/17/79.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-400.
308-120-325	Board approval of certification programs. [Statutory Authority: RCW 18.88.080. 85-24-027 (Order PL 569), § 308-120-325, filed 11/26/85. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-325, filed 11/3/82.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-330.	308-120-410	Application requirements for ARNP with prescriptive authority. [Statutory Authority: RCW 18.88.080. 85-24-027 (Order PL 569), § 308-120-410, filed 11/26/85. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-410, filed 11/3/82. Statutory Authority: RCW 18.88.080. 81-04-007 (Order PL 370), § 308-120-410, filed 1/27/81; 79-09-038 (Order PL-310), § 308-120-410, filed 8/17/79.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-410.
308-120-330	ARN/SRN registration expiration. [Order PL 270, § 308-120-330, filed 6/16/77.] Repealed by 82-22-091 (Order PL 410), filed 11/3/82. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140.	308-120-420	Authorized prescriptions by the ARNP with prescriptive authority. [Statutory Authority: RCW 18.88.080. 85-24-027 (Order PL 569), § 308-120-420, filed 11/26/85. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-420, filed 11/3/82. Statutory Authority: RCW 18.88.080. 81-04-007 (Order PL 370), § 308-120-420, filed 1/27/81; 79-09-038 (Order PL-310), § 308-120-420, filed 8/17/79.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-420.
308-120-335	Application requirements for ARNP. [Statutory Authority: RCW 18.88.030(2), 18.88.080, 18.88.086, 18.88.140 and 18.130.050. 88-07-049 (Order PM 717), § 308-120-335, filed 3/14/88. Statutory Authority: RCW 18.88.080. 85-24-027 (Order PL 569), § 308-120-335, filed 11/26/85. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-335, filed 11/3/82.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-340.	308-120-430	Termination of ARNP prescriptive authorization. [Statutory Authority: RCW 18.88.080. 85-24-027 (Order PL

	569), § 308-120-430, filed 11/26/85. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-430, filed 11/3/82. Statutory Authority: RCW 18.88.080. 79-09-038 (Order PL-310), § 308-120-430, filed 8/17/79.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-430.		
308-120-440	Prescriptive authorization period. [Statutory Authority: RCW 18.88.080. 85-24-027 (Order PL 569), § 308-120-440, filed 11/26/85. Statutory Authority: RCW 18.88.-030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-440, filed 11/3/82. Statutory Authority: RCW 18.88.080. 79-09-038 (Order PL-310), § 308-120-440, filed 8/17/79.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-440.	308-120-512	Curriculum for approved schools of nursing. [Statutory Authority: RCW 18.88.080. 80-04-072 (Order PL 339), § 308-120-512, filed 3/27/80.] Repealed by 88-16-034 (Order PM 751), filed 7/28/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211.
308-120-450	Renewal. [Statutory Authority: RCW 18.88.080. 85-24-027 (Order PL 569), § 308-120-450, filed 11/26/85. Statutory Authority: RCW 18.88.030(2), 18.88.080 and 18.88.140. 82-22-091 (Order PL 410), § 308-120-450, filed 11/3/82. Statutory Authority: RCW 18.88.080. 79-09-038 (Order PL-310), § 308-120-450, filed 8/17/79.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.-080. Recodified as WAC 246-839-450.	308-120-513	Students in approved schools of nursing. [Statutory Authority: RCW 18.88.080. 80-04-072 (Order PL 339), § 308-120-513, filed 3/27/80.] Repealed by 88-16-034 (Order PM 751), filed 7/28/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211.
308-120-505	Philosophy governing approval of nursing education programs. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-505, filed 7/28/88. Statutory Authority: RCW 18.88.080. 80-04-072 (Order PL 339), § 308-120-505, filed 3/27/80.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-505.	308-120-514	Program evaluation by approved schools of nursing. [Statutory Authority: RCW 18.88.080. 80-04-072 (Order PL 339), § 308-120-514, filed 3/27/80.] Repealed by 88-16-034 (Order PM 751), filed 7/28/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211.
308-120-506	Purposes of board approval of nursing education programs. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-506, filed 7/28/88. Statutory Authority: RCW 18.88.080. 80-04-072 (Order PL 339), § 308-120-506, filed 3/27/80.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.-080. Recodified as WAC 246-839-506.	308-120-515	Reports to the board of nursing by approved schools of nursing. [Statutory Authority: RCW 18.88.080. 80-04-072 (Order PL 339), § 308-120-515, filed 3/27/80.] Repealed by 88-16-034 (Order PM 751), filed 7/28/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211.
308-120-507	Purpose, philosophy and objectives for approved schools of nursing. [Statutory Authority: RCW 18.88.-080. 80-04-072 (Order PL 339), § 308-120-507, filed 3/27/80.] Repealed by 88-16-034 (Order PM 751), filed 7/28/88. Statutory Authority: RCW 18.88.080, 18.88.-086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211.	308-120-516	Survey visits. [Statutory Authority: RCW 18.88.080. 80-04-072 (Order PL 339), § 308-120-516, filed 3/27/80.] Repealed by 88-16-034 (Order PM 751), filed 7/28/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211.
308-120-508	Organization and administration for approved schools of nursing. [Statutory Authority: RCW 18.88.080. 80-04-072 (Order PL 339), § 308-120-508, filed 3/27/80.] Repealed by 88-16-034 (Order PM 751), filed 7/28/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211.	308-120-517	Board action following survey visits. [Statutory Authority: RCW 18.88.080. 80-04-072 (Order PL 339), § 308-120-517, filed 3/27/80.] Repealed by 88-16-034 (Order PM 751), filed 7/28/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211.
308-120-509	Resources, facilities and services for approved schools of nursing. [Statutory Authority: RCW 18.88.080. 81-04-007 (Order PL 370), § 308-120-509, filed 1/27/81; 80-04-072 (Order PL 339), § 308-120-509, filed 3/27/80.] Repealed by 88-16-034 (Order PM 751), filed 7/28/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211.	308-120-518	Restoration of approval. [Statutory Authority: RCW 18.88.080. 80-04-072 (Order PL 339), § 308-120-518, filed 3/27/80.] Repealed by 88-16-034 (Order PM 751), filed 7/28/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211.
308-120-510	Nurse administrator for approved school of nursing. [Statutory Authority: RCW 18.88.080. 81-10-026 (Order PL 377), § 308-120-510, filed 4/28/81; 80-04-072 (Order PL 339), § 308-120-510, filed 3/27/80.] Repealed by 88-16-034 (Order PM 751), filed 7/28/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211.	308-120-519	Appeal of board decisions. [Statutory Authority: RCW 18.88.080. 80-04-072 (Order PL 339), § 308-120-519, filed 3/27/80.] Repealed by 88-16-034 (Order PM 751), filed 7/28/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211.
308-120-511	Faculty for approved schools of nursing. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.130.050, 18.130.070 and 18.130.180. 87-23-050 (Order PM 691), § 308-120-511, filed 11/18/87. Statutory Authority: RCW 18.88.080. 81-10-026 (Order PL 377), § 308-120-	308-120-520	Consultation services. [Statutory Authority: RCW 18.88.080. 80-04-072 (Order PL 339), § 308-120-520, filed 3/27/80.] Repealed by 88-16-034 (Order PM 751), filed 7/28/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211.
		308-120-521	Closure of an approved school of nursing. [Statutory Authority: RCW 18.88.080. 80-04-072 (Order PL 339), § 308-120-521, filed 3/27/80.] Repealed by 88-16-034 (Order PM 751), filed 7/28/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211.
		308-120-522	Establishment of a new school of nursing. [Statutory Authority: RCW 18.88.080. 80-04-072 (Order PL 339), § 308-120-522, filed 3/27/80.] Repealed by 88-16-034 (Order PM 751), filed 7/28/88. Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211.

308-120-525	Approval of nursing education programs. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-525, filed 7/28/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-525.	308-120-575	Curriculum for approved nursing education programs. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-575, filed 7/28/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-575.
308-120-530	Denial, conditional approval or withdrawal of approval. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-530, filed 7/28/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-530.	308-120-600	Purpose. [Statutory Authority: RCW 18.88.080. 83-24-048 (Order PL 449), § 308-120-600, filed 12/2/83.] Repealed by 85-24-024 (Order PL 570), filed 11/26/85, effective 1/1/86. Statutory Authority: RCW 18.88.080 and 18.88.190.
308-120-535	Reinstatement of approval. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-535, filed 7/28/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-535.	308-120-601	Scope. [Statutory Authority: RCW 18.88.080. 83-24-048 (Order PL 449), § 308-120-601, filed 12/2/83.] Repealed by 85-24-024 (Order PL 570), filed 11/26/85, effective 1/1/86. Statutory Authority: RCW 18.88.080 and 18.88.190.
308-120-540	Appeal of board decisions. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-540, filed 7/28/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-540.	308-120-602	General requirements. [Statutory Authority: RCW 18.88.080. 83-24-048 (Order PL 449), § 308-120-602, filed 12/2/83.] Repealed by 85-24-024 (Order PL 570), filed 11/26/85, effective 1/1/86. Statutory Authority: RCW 18.88.080 and 18.88.190.
308-120-545	Closing of an approved nursing education program. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-545, filed 7/28/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-545.	308-120-603	License renewal requirements. [Statutory Authority: RCW 18.88.080. 83-24-048 (Order PL 449), § 308-120-603, filed 12/2/83.] Repealed by 85-24-024 (Order PL 570), filed 11/26/85, effective 1/1/86. Statutory Authority: RCW 18.88.080 and 18.88.190.
308-120-550	Purpose, philosophy, and objectives for approved nursing education programs. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-550, filed 7/28/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-550.	308-120-604	Acceptable continuing education. [Statutory Authority: RCW 18.88.080. 83-24-048 (Order PL 449), § 308-120-604, filed 12/2/83.] Repealed by 85-24-024 (Order PL 570), filed 11/26/85, effective 1/1/86. Statutory Authority: RCW 18.88.080 and 18.88.190.
308-120-555	Organization and administration for approved nursing education programs. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-555, filed 7/28/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-555.	308-120-605	Unacceptable continuing education. [Statutory Authority: RCW 18.88.080. 83-24-048 (Order PL 449), § 308-120-605, filed 12/2/83.] Repealed by 85-24-024 (Order PL 570), filed 11/26/85, effective 1/1/86. Statutory Authority: RCW 18.88.080 and 18.88.190.
308-120-560	Resources, facilities, and services for approved nursing education programs. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-560, filed 7/28/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-560.	308-120-606	Validation of educational programs. [Statutory Authority: RCW 18.88.080. 83-24-048 (Order PL 449), § 308-120-606, filed 12/2/83.] Repealed by 85-24-024 (Order PL 570), filed 11/26/85, effective 1/1/86. Statutory Authority: RCW 18.88.080 and 18.88.190.
308-120-565	Students in approved nursing education programs. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-565, filed 7/28/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-565.	308-120-607	Contact hour. [Statutory Authority: RCW 18.88.080. 83-24-048 (Order PL 449), § 308-120-607, filed 12/2/83.] Repealed by 85-24-024 (Order PL 570), filed 11/26/85, effective 1/1/86. Statutory Authority: RCW 18.88.080 and 18.88.190.
308-120-570	Faculty in approved nursing education programs. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.88.110, 18.88.120, 18.88.140, 18.88.160, 18.88.190, 18.88.200, 18.88.220, 18.130.050 and 1988 c 211. 88-16-034 (Order PM 751), § 308-120-570, filed 7/28/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-570.	308-120-608	Waivers. [Statutory Authority: RCW 18.88.080. 83-24-048 (Order PL 449), § 308-120-608, filed 12/2/83.] Repealed by 85-24-024 (Order PL 570), filed 11/26/85, effective 1/1/86. Statutory Authority: RCW 18.88.080 and 18.88.190.
		308-120-610	AIDS education and training. [Statutory Authority: RCW 18.88.080, 18.88.140, 18.130.175 and 70.24.270. 88-23-035 (Order PM 795), § 308-120-610, filed 11/9/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 70.24.270. Recodified as WAC 246-839-100.
		308-120-620	Provision for clean, intermittent catheterization in schools. [Statutory Authority: RCW 18.88.080. 90-04-059, § 308-120-620, filed 2/2/90, effective 3/5/90.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-820.
		308-120-700	Standards of nursing conduct or practice. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.130.050, 18.130.070 and 18.130.180. 87-23-050 (Order PM 691), § 308-120-700, filed 11/18/87.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080 and 18.130.050. Recodified as WAC 246-839-700.
		308-120-710	Violations of standards of nursing conduct or practice. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.130.050, 18.130.070 and 18.130.180. 87-23-050 (Order PM 691), § 308-120-710, filed 11/18/87.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080 and 18.130.050. Recodified as WAC 246-839-710.
		308-120-720	Mitigating circumstances. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.130.050, 18.130.070 and 18.130.180. 87-23-050 (Order PM 691), § 308-120-720, filed 11/18/87.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority:

	RCW 18.88.080 and 18.130.050. Recodified as WAC 246-839-720.		
308-120-730	Mandatory reporting defined. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.130.050, 18.130.070 and 18.130.180. 87-23-050 (Order PM 691), § 308-120-730, filed 11/18/87.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080 and 18.130.050. Recodified as WAC 246-839-730.	308-121-050	Nursing assistants trained in programs not specified in WAC 308-121-030 and 308-121-040. [Statutory Authority: RCW 18.52A.040, 18.52B.070 and 70.24.270. 88-23-036 (Order PM 796), § 308-121-050, filed 11/9/88. Statutory Authority: 1979 c 114 § 6. 79-10-030 (Order PL-313), § 308-121-050, filed 9/11/79.] Repealed by 90-17-043 (Order 080), filed 8/10/90, effective 9/10/90. Statutory Authority: RCW 18.88.080.
308-120-740	Violations considered for disciplinary purposes only. [Statutory Authority: RCW 18.88.080, 18.88.086, 18.130.050, 18.130.070 and 18.130.180. 87-23-050 (Order PM 691), § 308-120-740, filed 11/18/87.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080 and 18.130.050. Recodified as WAC 246-839-740.	308-121-055	Nursing assistants trained in approved programs. [Statutory Authority: RCW 18.52A.040, 18.52B.070 and 70.24.270. 88-23-036 (Order PM 796), § 308-121-055, filed 11/9/88.] Repealed by 90-17-043 (Order 080), filed 8/10/90, effective 9/10/90. Statutory Authority: RCW 18.88.080.
308-120-750	Philosophy governing voluntary substance abuse monitoring programs. [Statutory Authority: RCW 18.88.080, 18.88.140, 18.130.175 and 70.24.270. 88-23-035 (Order PM 795), § 308-120-750, filed 11/9/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.130.050. Recodified as WAC 246-839-750.	308-121-060	Issuing verification of completion. [Statutory Authority: RCW 18.52A.040, 18.52B.070 and 70.24.270. 88-23-036 (Order PM 796), § 308-121-060, filed 11/9/88. Statutory Authority: 1979 c 114 § 6. 79-10-030 (Order PL-313), § 308-121-060, filed 9/11/79.] Repealed by 90-17-043 (Order 080), filed 8/10/90, effective 9/10/90. Statutory Authority: RCW 18.88.080.
308-120-760	Terms used in WAC 308-120-750 through 308-120-780. [Statutory Authority: RCW 18.88.080, 18.88.140, 18.130.175 and 70.24.270. 88-23-035 (Order PM 795), § 308-120-760, filed 11/9/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.130.050. Recodified as WAC 246-839-760.	308-121-070	Registration of nursing assistants. [Statutory Authority: RCW 18.52A.040, 18.52B.070 and 70.24.270. 88-23-036 (Order PM 796), § 308-121-070, filed 11/9/88.] Repealed by 90-17-043 (Order 080), filed 8/10/90, effective 9/10/90. Statutory Authority: RCW 18.88.080.
308-120-770	Approval of substance abuse monitoring programs. [Statutory Authority: RCW 18.88.080, 18.88.140, 18.130.175 and 70.24.270. 88-23-035 (Order PM 795), § 308-120-770, filed 11/9/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.130.050. Recodified as WAC 246-839-770.	308-121-110	Standards of practice and competencies of nursing assistants. [Statutory Authority: RCW 18.88.080, 90-17-042 (Order 079), § 308-121-110, filed 8/10/90, effective 9/10/90.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-842-100.
308-120-780	Participation in approved substance abuse monitoring program. [Statutory Authority: RCW 18.88.080, 18.88.140, 18.130.175 and 70.24.270. 88-23-035 (Order PM 795), § 308-120-780, filed 11/9/88.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.130.050. Recodified as WAC 246-839-780.	308-121-120	Purpose of review and approval of nursing assistant training programs. [Statutory Authority: RCW 18.88.080, 90-17-042 (Order 079), § 308-121-120, filed 8/10/90, effective 9/10/90.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-842-110.
308-120-800	Scope of practice—Advisory opinions. [Statutory Authority: RCW 18.88.080, 85-17-031 (Order PL 548), § 308-120-800, filed 8/14/85.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-800.	308-121-130	Requirements for nursing assistant training program approval. [Statutory Authority: RCW 18.88.080, 90-17-042 (Order 079), § 308-121-130, filed 8/10/90, effective 9/10/90.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-842-120.
308-120-810	Determination and pronouncement of death. [Statutory Authority: RCW 18.88.080, [18.88].086, [18.88].110, [18.88].130, [18.88].140, [18.88].175, [18.88].280 and 18.130.050. 89-12-033 (Order PM 847), § 308-120-810, filed 6/1/89.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88.080. Recodified as WAC 246-839-830.	308-121-140	Denial of approval or withdrawal of approval for programs for which the board is the approving authority. [Statutory Authority: RCW 18.88.080, 90-17-042 (Order 079), § 308-121-140, filed 8/10/90, effective 9/10/90.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-842-130.
Chapter 308-121 NURSING ASSISTANTS		308-121-145	Reinstatement of approval. [Statutory Authority: RCW 18.88.080, 90-17-042 (Order 079), § 308-121-145, filed 8/10/90, effective 9/10/90.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-842-140.
308-121-010	Nursing assistants employed in nursing homes on June 7, 1979 or within one year prior to this date—Requirements for obtaining certificate of completion of a nursing assistant training program. [Statutory Authority: 1979 c 114 § 6. 79-10-030 (Order PL-313), § 308-121-010, filed 9/11/79.] Repealed by 88-23-036 (Order PM 796), filed 11/9/88. Statutory Authority: RCW 18.52A.040, 18.52B.070 and 70.24.270.	308-121-150	Appeal of board decisions. [Statutory Authority: RCW 18.88.080, 90-17-042 (Order 079), § 308-121-150, filed 8/10/90, effective 9/10/90.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-842-150.
308-121-020	Nursing assistant certificate examination. [Statutory Authority: 1979 c 114 § 6. 79-10-030 (Order PL-313), § 308-121-020, filed 9/11/79.] Repealed by 88-23-036 (Order PM 796), filed 11/9/88. Statutory Authority: RCW 18.52A.040, 18.52B.070 and 70.24.270.	308-121-155	Closing of an approved nursing assistant training program. [Statutory Authority: RCW 18.88.080, 90-17-042 (Order 079), § 308-121-155, filed 8/10/90, effective 9/10/90.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-842-160.
308-121-030	Nursing assistant training program curriculum. [Statutory Authority: RCW 18.52A.040, 18.52B.070 and 70.24.270. 88-23-036 (Order PM 796), § 308-121-030, filed 11/9/88. Statutory Authority: 1979 c 114 § 6. 79-10-030 (Order PL-313), § 308-121-030, filed 9/11/79.] Repealed by 90-17-043 (Order 080), filed 8/10/90, effective 9/10/90. Statutory Authority: RCW 18.88.-080.	308-121-160	Program directors and instructors in approved training programs. [Statutory Authority: RCW 18.88.080, 90-17-042 (Order 079), § 308-121-160, filed 8/10/90, effective 9/10/90.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-842-170.
308-121-040	Nursing assistant training programs conducted by nursing homes. [Statutory Authority: RCW 18.52A.040, 18.52B.070 and 70.24.270. 88-23-036 (Order PM 796),		

308-121-165	Students (trainees) in approved training programs. [Statutory Authority: RCW 18.88.080. 90-17-042 (Order 079), § 308-121-165, filed 8/10/90, effective 9/10/90.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.-060. Recodified as WAC 246-842-180.	
308-121-170	Core curriculum in approved training programs. [Statutory Authority: RCW 18.88.080. 90-17-042 (Order 079), § 308-121-170, filed 8/10/90, effective 9/10/90.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.-060. Recodified as WAC 246-842-190.	
308-121-175	Physical resources for approved education programs. [Statutory Authority: RCW 18.88.080. 90-17-042 (Order 079), § 308-121-175, filed 8/10/90, effective 9/10/90.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-842-200.	
308-121-180	Administrative procedures for approved nursing assistant training programs. [Statutory Authority: RCW 18.88.080. 90-17-042 (Order 079), § 308-121-180, filed 8/10/90, effective 9/10/90.] Decodified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-842-210.	
Chapter 308-122		
LICENSING OF PSYCHOLOGISTS		
308-122-001	Guidelines for the promulgation of administrative rules. [Statutory Authority: RCW 18.83.050(1). 86-19-061 (Order PM 616), § 308-122-001, filed 9/16/86.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-001.	
308-122-005	Definitions. [Statutory Authority: 1988 c 206 § 604. 88-23-059 (Order PM 798), § 308-122-005, filed 11/15/88.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-010.	
308-122-006	Applications for licensure. [Statutory Authority: 1988 c 206 § 604. 88-23-059 (Order PM 798), § 308-122-006, filed 11/15/88.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-020.	
308-122-010	Registered sanitarians—License renewal fee. [Order PL 254, § 308-122-010, filed 8/17/76; Order PL 204, § 308-122-010, filed 11/5/75; Order PL 165, § 308-122-010, filed 4/2/74.] Memo filed by the Office of the Attorney General, dated 8/7/85. Decodified due to repeal of chapter 18.90 RCW.	
308-122-020	Registered sanitarians—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-122-020, filed 9/25/80; Order PL 204, § 308-122-020, filed 11/5/75.] Memo filed by the Office of the Attorney General, dated 8/7/85. Decodified due to repeal of chapter 18.90 RCW.	
308-122-030	Renewal of licenses. [Order PL 262, § 308-122-030, filed 1/13/77.] Memo filed by the Office of the Attorney General, dated 8/7/85. Decodified due to repeal of chapter 18.90 RCW.	
308-122-040	Application for registration—Process. [Statutory Authority: RCW 18.90.020(2). 80-02-114 (Order PL 334, Resolution 1/80), § 308-122-040, filed 1/28/80.] Repealed by 81-01-082 (Order PL 364), filed 12/17/80. Statutory Authority: RCW 18.90.020(2).	
308-122-050	Registered sanitarians—Written examination. [Statutory Authority: RCW 18.90.020(2). 80-02-114 (Order PL 334, Resolution 1/80), § 308-122-050, filed 1/28/80.] Repealed by 81-01-082 (Order PL 364), filed 12/17/80. Statutory Authority: RCW 18.90.020(2).	
308-122-060	Guidelines for the employment and/or supervision of auxiliary staff. [Statutory Authority: RCW 18.83.-050(5). 86-04-087 (Order PL 578), § 308-122-060, filed 2/5/86.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-030.	
308-122-200	Psychologists—Education prerequisite to licensing. [Statutory Authority: RCW 18.83.050. 88-09-029 (Order PM 722), § 308-122-200, filed 4/15/88. Statutory Authority: RCW 18.83.050(2) and 18.83.070(2). 87-19-096 (Order PM 678), § 308-122-200, filed 9/17/87. Statutory Authority: Chapter 18.83 RCW. 78-12-046 (Order PL 293), § 308-122-200, filed 11/27/78; Order PL-245, § 308-122-200, filed 4/15/76.] Decodified by	91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-040.
		308-122-210 Psychologists—Experience prerequisite to licensing. [Statutory Authority: Chapters 18.83 and 34.04 RCW. 78-12-046 (Order PL 293), § 308-122-210, filed 11/27/78; Order PL-245, § 308-122-210, filed 4/15/76.] Repealed by 85-06-043 (Order PL 521), filed 3/5/85. Statutory Authority: RCW 18.83.070(3).
		308-122-211 Psychologists—Education prerequisites to licensing for applicants enrolled in a doctoral program between December 28, 1978 to October 19, 1987. [Statutory Authority: RCW 18.83.050. 89-11-054 (Order PM 845), § 308-122-211, filed 5/17/89.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-050.
		308-122-215 Psychologists—Experience prerequisite to licensing. [Statutory Authority: RCW 18.83.050. 88-09-029 (Order PM 722), § 308-122-215, filed 4/15/88. Statutory Authority: RCW 18.83.050(5). 86-04-087 (Order PL 578), § 308-122-215, filed 2/5/86. Statutory Authority: RCW 18.83.070(3). 85-06-043 (Order PL 521), § 308-122-215, filed 3/5/85.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-060.
		308-122-220 Psychologists—Written examination. [Statutory Authority: RCW 18.83.050. 82-18-073 (Order PL 404), § 308-122-220, filed 9/1/82; 80-07-010 (Order PL 346), § 308-122-220, filed 6/9/80; 79-08-009 (Order PL-309), § 308-122-220, filed 7/9/79; Order PL-245, § 308-122-220, filed 4/15/76.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-070.
		308-122-225 Psychology examination—Application submittal date. [Statutory Authority: RCW 18.83.030, 18.83.050 and 18.83.060. 79-08-008 (Order PL-308), § 308-122-225, filed 7/9/79.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-080.
		308-122-230 Psychologists—Oral examination. [Statutory Authority: RCW 18.83.050. 79-08-009 (Order PL-309), § 308-122-230, filed 7/9/79; Order PL-245, § 308-122-230, filed 4/15/76.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-090.
		308-122-235 Qualifications for granting of license by reciprocity. [Statutory Authority: RCW 18.83.050. 88-09-029 (Order PM 722), § 308-122-235, filed 4/15/88.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-100.
		308-122-275 Psychology fees. [Statutory Authority: RCW 43.70.-250. 90-04-094 (Order 029), § 308-122-275, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086. 87-10-028 (Order PM 650), § 308-122-275, filed 5/1/87. Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-122-275, filed 8/10/83. Formerly WAC 308-122-460.] Decodified by 91-05-028 (Order 133), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-924-990.
		308-122-280 AIDS education and training. [Statutory Authority: 1988 c 206 § 604. 88-23-059 (Order PM 798), § 308-122-280, filed 11/15/88.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-110.
		308-122-300 Psychologists—License renewal fee. [Order PL 163, § 308-122-300, filed 3/18/74.] Repealed by Order PL 277, filed 11/5/75. Later promulgation, see WAC 308-122-460.
		308-122-350 Psychologists—Renewal of licenses. [Statutory Authority: 1988 c 206 § 604. 88-23-059 (Order PM 798), § 308-122-350, filed 11/15/88; Order PL 227, § 308-122-350, filed 11/5/75; Order PL 177, § 308-122-350, filed 10/15/74.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-120.
		308-122-360 Certificates of qualification. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-360, filed 9/19/89, effective 10/20/89; Order PL

	202, § 308-122-360, filed 10/1/75.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-130.	308-122-503	Staggered effective periods for new continuing education rules, WAC 308-122-550 through 308-122-580. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-503, filed 9/19/89, effective 10/20/89.] Repealed by 90-05-015 (Order 033), filed 2/13/90, effective 3/16/90. Statutory Authority: RCW 18.83.090.
308-122-370	Certificates of qualification—Title. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-370, filed 9/19/89, effective 10/20/89; Order PL 202, § 308-122-370, filed 10/1/75.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-140.	308-122-505	Continuing education—General requirements. [Statutory Authority: RCW 18.83.050(5). 86-04-087 (Order PL 578), § 308-122-505, filed 2/5/86; Order PL 276, § 308-122-505, filed 11/16/77.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-200.
308-122-380	Certificates of qualification—Educational requirements. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-380, filed 9/19/89, effective 10/20/89; Order PL 202, § 308-122-380, filed 10/1/75.] Repealed by 91-04-021 (Order 129B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050.	308-122-510	Continuing education—Categories of creditable activities. [Order PL 276, § 308-122-510, filed 11/16/77.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.-050. Recodified as WAC 246-924-210.
308-122-390	Certificates of qualification—Experience and training requirements. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-390, filed 9/19/89, effective 10/20/89; Order PL 202, § 308-122-390, filed 10/1/75.] Repealed by 91-04-021 (Order 129B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050.	308-122-515	Continuing education requirements. [Order PL 276, § 308-122-515, filed 11/16/77.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-230.
308-122-400	Certificates of qualification—Psychological functions. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-400, filed 9/19/89, effective 10/20/89; Order PL 202, § 308-122-400, filed 10/1/75.] Repealed by 91-04-021 (Order 129B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.-050.	308-122-520	Definition of categories of creditable CPE. [Order PL 276, § 308-122-520, filed 11/16/77.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-240.
308-122-410	Certificates of qualification—Written examination. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-410, filed 9/19/89, effective 10/20/89. Statutory Authority: RCW 18.83.050. 80-07-010 (Order PL 346), § 308-122-410, filed 6/9/80; 79-08-009 (Order PL-309), § 308-122-410, filed 7/9/79; Order PL 202, § 308-122-410, filed 10/1/75.] Repealed by 91-04-021 (Order 129B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050.	308-122-525	Continuing education—Special considerations. [Statutory Authority: RCW 18.83.050(5). 86-04-087 (Order PL 578), § 308-122-525, filed 2/5/86; Order PL 276, § 308-122-525, filed 11/16/77.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-250.
308-122-420	Certificates of qualification—Oral examination. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-420, filed 9/19/89, effective 10/20/89; Order PL 202, § 308-122-420, filed 10/1/75.] Repealed by 91-04-021 (Order 129B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050.	308-122-530	Continuing education—Enforcement. [Order PL 276, § 308-122-530, filed 11/16/77.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-260.
308-122-430	Certificates of qualification—Procedure for additional areas of function. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-430, filed 9/19/89, effective 10/20/89; Order PL 202, § 308-122-430, filed 10/1/75.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-150.	308-122-535	Continuing education—Exemptions. [Order PL 276, § 308-122-535, filed 11/16/77.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-270.
308-122-440	Continued supervision of persons receiving certificates of qualification. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-440, filed 9/19/89, effective 10/20/89; Order PL 202, § 308-122-440, filed 10/1/75.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-160.	308-122-540	Continuing education—Program or course approval. [Order PL 276, § 308-122-540, filed 11/16/77.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-280.
308-122-450	Certificates of qualification—Representations to clients. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-450, filed 9/19/89, effective 10/20/89; Order PL 202, § 308-122-450, filed 10/1/75.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.-050. Recodified as WAC 246-924-170.	308-122-545	Continuing education—Certification of compliance. [Order PL 276, § 308-122-545, filed 11/16/77.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-290.
308-122-460	Psychologist—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-122-460, filed 9/25/80; Order PL 227, § 308-122-460, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-122-275.	308-122-550	Continuing education requirements. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-550, filed 9/19/89, effective 10/20/89.] Repealed by 90-05-015 (Order 033), filed 2/13/90, effective 3/16/90. Statutory Authority: RCW 18.83.090.
308-122-500	Continuing education—Purpose and scope. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-500, filed 9/19/89, effective 10/20/89. Statutory Authority: RCW 18.83.050(5). 86-04-087 (Order PL 578), § 308-122-500, filed 2/5/86; Order PL 276, § 308-122-500, filed 11/16/77.] Repealed by 91-04-021 (Order 129B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050.	308-122-555	Definition of creditable CPE. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-555, filed 9/19/89, effective 10/20/89.] Repealed by 90-05-015 (Order 033), filed 2/13/90, effective 3/16/90. Statutory Authority: RCW 18.83.090.
		308-122-560	Definition of acceptable documentation and proof of CPE. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-560, filed 9/19/89, effective 10/20/89.] Repealed by 90-05-015 (Order 033), filed 2/13/90, effective 3/16/90. Statutory Authority: RCW 18.83.090.
		308-122-565	Continuing education—Special considerations. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-565, filed 9/19/89, effective 10/20/89.] Repealed by 90-05-015 (Order 033), filed 2/13/90, effective 3/16/90. Statutory Authority: RCW 18.83.090.
		308-122-570	Continuing education—Enforcement. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-570, filed 9/19/89, effective 10/20/89.] Repealed by 90-05-015 (Order 033), filed 2/13/90,

	effective 3/16/90. Statutory Authority: RCW 18.83.-090.		Authority: RCW 18.83.050. Recodified as WAC 246-924-460.
308-122-575	Continuing education—Exemptions. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-575, filed 9/19/89, effective 10/20/89.] Repealed by 90-05-015 (Order 033), filed 2/13/90, effective 3/16/90. Statutory Authority: RCW 18.83.-090.	308-122-710	License application fees—Failure to appear at examination session. [Statutory Authority: RCW 18.83.070(3). 85-06-043 (Order PL 521), § 308-122-710, filed 3/5/85.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-470.
308-122-580	Continuing education—Program or course approval. [Statutory Authority: RCW 18.83.090. 89-19-053 (Order PM 862), § 308-122-580, filed 9/19/89, effective 10/20/89.] Repealed by 90-05-015 (Order 033), filed 2/13/90, effective 3/16/90. Statutory Authority: RCW 18.83.090.	308-122-720	Temporary permits. [Statutory Authority: RCW 18.83.050. 88-09-029 (Order PM 722), § 308-122-720, filed 4/15/88.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-480.
308-122-600	Code of ethics—General considerations. [Statutory Authority: RCW 18.83.050(5). 85-06-044 (Order PL 522), § 308-122-600, filed 3/5/85.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-350.	Chapter 308-124F REAL ESTATE—MISCELLANEOUS PROVISIONS	
308-122-610	Responsibility. [Statutory Authority: RCW 18.83.050(5). 85-06-044 (Order PL 522), § 308-122-610, filed 3/5/85.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-360.		
308-122-620	Competence. [Statutory Authority: RCW 18.83.050(5). 85-06-044 (Order PL 522), § 308-122-620, filed 3/5/85.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-370.	308-124F-010	Real estate office in same building as residence requirements. [Statutory Authority: RCW 18.85.040. 87-20-091 (Order PM 683), § 308-124F-010, filed 10/7/87; 81-05-015 (Order RE 129), § 308-124F-010, filed 2/10/81; Order RE 114, § 308-124F-010, filed 7/2/75.] Repealed by 99-03-042, filed 1/14/99, effective 2/14/99. Statutory Authority: RCW 18.85.040 and the Governor's Executive Order on Regulatory Improvement 97-02.
308-122-630	Moral and legal standards. [Statutory Authority: RCW 18.83.050(5). 86-04-087 (Order PL 578), § 308-122-630, filed 2/5/86.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-380.	308-124F-020	Discriminatory acts—Prohibition. [Statutory Authority: RCW 18.85.040. 92-21-035, § 308-124F-020, filed 10/15/92, effective 11/15/92; Order RE 114, § 308-124F-020, filed 7/2/75.] Repealed by 99-03-042, filed 1/14/99, effective 2/14/99. Statutory Authority: RCW 18.85.040 and the Governor's Executive Order on Regulatory Improvement 97-02.
308-122-640	Public statements. [Statutory Authority: RCW 18.83.050. 88-09-029 (Order PM 722), § 308-122-640, filed 4/15/88. Statutory Authority: RCW 18.83.050(5). 86-04-087 (Order PL 578), § 308-122-640, filed 2/5/86; 85-06-044 (Order PL 522), § 308-122-640, filed 3/5/85.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-390.	308-124F-030	Misuse of broker's license—Prohibited. [Statutory Authority: RCW 18.85.040. 82-17-039 (Order 130), § 308-124F-030, filed 8/13/82; Order RE 114, § 308-124F-030, filed 7/2/75.] Repealed by 99-03-042, filed 1/14/99, effective 2/14/99. Statutory Authority: RCW 18.85.040 and the Governor's Executive Order on Regulatory Improvement 97-02.
308-122-650	Confidentiality. [Statutory Authority: RCW 18.83.050(5). 85-06-044 (Order PL 522), § 308-122-650, filed 3/5/85.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-400.	308-124F-040	Standards for professional associations and educational organizations. [Statutory Authority: RCW 18.85.040. 85-21-035 (Order 136R), § 308-124F-040, filed 10/11/85.] Repealed by 98-01-107, filed 12/17/97, effective 1/17/98. Statutory Authority: RCW 18.85.-040.
308-122-660	Welfare of the consumer. [Statutory Authority: RCW 18.83.050(5). 85-06-044 (Order PL 522), § 308-122-660, filed 3/5/85.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-410.	308-124F-050	Subdivision advertising—Filing with director. [Order RE 114, § 308-124F-050, filed 7/2/75.] Repealed by 81-05-015 (Order RE 129), filed 2/10/81. Statutory Authority: RCW 18.85.040.
308-122-670	Professional relationships. [Statutory Authority: RCW 18.83.050(5). 86-04-087 (Order PL 578), § 308-122-670, filed 2/5/86.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-420.	308-124F-200	Summary revocation of licenses. [Order RE 114, § 308-124F-200, filed 7/2/75.] Repealed by 81-05-015 (Order RE 129), filed 2/10/81. Statutory Authority: RCW 18.85.040.
308-122-680	Assessment techniques. [Statutory Authority: RCW 18.83.050(5). 85-06-044 (Order PL 522), § 308-122-680, filed 3/5/85.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-430.	Chapter 308-124G REAL ESTATE—EXAMINATION WAIVERS	
308-122-690	Research with human participants. [Statutory Authority: RCW 18.83.050(5). 85-06-044 (Order PL 522), § 308-122-690, filed 3/5/85.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-440.		
308-122-695	Care and use of animals. [Statutory Authority: RCW 18.83.050(5). 85-06-044 (Order PL 522), § 308-122-695, filed 3/5/85.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory Authority: RCW 18.83.050. Recodified as WAC 246-924-450.	Chapter 308-126 LAND DEVELOPMENT REGISTRATION	
308-122-700	Telephone directory listings. [Statutory Authority: RCW 18.83.070(3). 85-06-043 (Order PL 521), § 308-122-700, filed 3/5/85.] Decodified by 91-04-020 (Order 117B), filed 1/28/91, effective 2/28/91. Statutory		
		308-126-010	Definitions. [Order RE 109, § 308-126-010, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
		308-126-020	Documents. [Order RE 109, § 308-126-020, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
		308-126-030	Address of director. [Order RE 109, § 308-126-030, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
		308-126-040	Exemptions—Waiver. [Order RE 109, § 308-126-040, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
		308-126-050	Office of interstate land sales registration. [Order RE 109, § 308-126-050, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
		308-126-060	Statement of record and property report—Contents and filing. [Order RE 109, § 308-126-060, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
		308-126-070	Statements and reports—Proper form. [Order RE 109, § 308-126-070, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
		308-126-080	Statements and reports—Effective dates. [Order RE 109, § 308-126-080, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.

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- 308-126-090 Notice of deficiency—Rejection. [Order RE 109, § 308-126-090, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-100 Amendments—Consolidated registration. [Order RE 109, § 308-126-100, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-110 Filing fees. [Order RE 109, § 308-126-110, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-120 Mortgages, liens or other encumbrances. [Order RE 109, § 308-126-120, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-130 Approval of out-of-state trustee or escrow depository. [Order RE 109, § 308-126-130, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-140 Escrow requirements. [Order RE 109, § 308-126-140, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-150 Duration of duty to escrow. [Order RE 109, § 308-126-150, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-160 Termination of developer's business. [Order RE 109, § 308-126-160, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-170 Instruments of sale. [Order RE 109, § 308-126-170, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-180 Improvements. [Order RE 109, § 308-126-180, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-190 Developers' duties. [Order RE 109, § 308-126-190, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-200 Reporting requirements. [Order RE 109, § 308-126-200, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-210 Withdrawal. [Order RE 109, § 308-126-210, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-220 Declaratory rulings—Advisory opinion. [Order RE 109, § 308-126-220, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-230 Officers to administer oaths and affirmations. [Order RE 109, § 308-126-230, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-240 Officers to issue subpoenas and institute discovery. [Order RE 109, § 308-126-240, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-250 Posting of notice of order. [Order RE 109, § 308-126-250, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-260 Service of process. [Order RE 109, § 308-126-260, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-270 Hearings. [Order RE 109, § 308-126-270, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-280 Orders—Receivership. [Order RE 109, § 308-126-280, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-290 Revocation. [Order RE 109, § 308-126-290, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-300 Litigation. [Order RE 109, § 308-126-300, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-310 Protection of purchasers. [Order RE 109, § 308-126-310, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-320 Advertising. [Order RE 109, § 308-126-320, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-330 Promotional activities. [Order RE 109, § 308-126-330, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-340 Presumptions. [Order RE 109, § 308-126-340, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.
- 308-126-350 Rules effect. [Order RE 109, § 308-126-350, filed 11/9/73.] Repealed by Order RE 123, filed 12/13/77.

Chapter 308-126A**LAND DEVELOPMENT REGISTRATION—JURISDICTION**

- 308-126A-010 Definitions. [Order RE 123, § 308-126A-010, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-126A-020 Exemption. [Order RE 123, § 308-126A-020, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

- 308-126A-030 Waiver. [Statutory Authority: RCW 58.19.250 and 59.19.040 [58.19.040]. 89-18-038, § 308-126A-030, filed 8/29/89, effective 9/29/89; Order RE 123, § 308-126A-030, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-126A-040 Office of interstate land sales registration. [Order RE 123, § 308-126A-040, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

Chapter 308-126B**LAND DEVELOPMENT REGISTRATION—REGISTRATION**

- 308-126B-010 Address of director. [Order RE 123, § 308-126B-010, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-126B-020 Documents. [Order RE 123, § 308-126B-020, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-126B-030 Statement of record and property report—Contents and filing. [Order RE 123, § 308-126B-030, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-126B-040 Statements and reports—Proper form. [Order RE 123, § 308-126B-040, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-126B-050 Statements and reports—Effective dates. [Order RE 123, § 308-126B-050, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-126B-060 Mortgages, liens, or other encumbrances. [Order RE 123, § 308-126B-060, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-126B-070 Instruments of sale. [Order RE 123, § 308-126B-070, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-126B-080 Improvements. [Order RE 123, § 308-126B-080, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-126B-090 Notice of deficiency—Rejection. [Order RE 123, § 308-126B-090, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-126B-100 Amendments. [Order RE 123, § 308-126B-100, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-126B-110 Consolidated registration. [Order RE 123, § 308-126B-110, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-126B-120 Withdrawal. [Order RE 123, § 308-126B-120, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-126B-130 Reports—Registration. [Order RE 123, § 308-126B-130, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

308-126B-140 Termination of developer's business. [Order RE 123, § 308-126B-140, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

Chapter 308-126C

LAND DEVELOPMENT REGISTRATION—ADMINISTRATION

308-126C-010 Declaratory rulings—Advisory opinion. [Order RE 123, § 308-126C-010, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

308-126C-020 Officers to administer oaths and affirmations. [Order RE 123, § 308-126C-020, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

308-126C-030 Officers to issue subpoenas and institute discovery. [Order RE 123, § 308-126C-030, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

308-126C-040 Service of process. [Order RE 123, § 308-126C-040, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

308-126C-050 Hearings. [Order RE 123, § 308-126C-050, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

308-126C-060 Posting of notice of order. [Order RE 123, § 308-126C-060, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

308-126C-070 Advertising. [Order RE 123, § 308-126C-070, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

308-126C-080 Advertising presumptions. [Order RE 123, § 308-126C-080, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

308-126C-090 Promotional activities. [Order RE 123, § 308-126C-090, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

308-126C-100 Reports—Advertising and promotion. [Order RE 123, § 308-126C-100, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

308-126C-110 Rules effect. [Order RE 123, § 308-126C-110, filed 12/13/77.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

Chapter 308-128A

ESCROW—ORGANIZATION AND ADMINISTRATION

308-128A-010 Promulgation—Authority. [Statutory Authority: RCW 18.44.320, 88-19-016 (Order PM 763), § 308-128A-010, filed 9/9/88; Order RE 122, § 308-128A-010, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.

308-128A-020 Organization. [Statutory Authority: RCW 18.44.320, 94-04-050, § 308-128A-020, filed 1/31/94, effective 3/3/94; 88-19-016 (Order PM 763), § 308-128A-020, filed 9/9/88; Order RE 122, § 308-128A-020, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.

308-128A-030 Meeting notice. [Statutory Authority: RCW 18.44.320, 94-04-050, § 308-128A-030, filed 1/31/94, effective 3/3/94; 88-19-016 (Order PM 763), § 308-128A-030, filed 9/9/88; Order RE 122, § 308-128A-030, filed

9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.

308-128A-040 Definitions. [Statutory Authority: RCW 18.44.320, 94-04-050, § 308-128A-040, filed 1/31/94, effective 3/3/94; 88-19-016 (Order PM 763), § 308-128A-040, filed 9/9/88; 79-07-009 (Order RE 126), § 308-128A-040, filed 6/7/79; Order RE 122, § 308-128A-040, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.

Reviser's note: Later promulgation, see chapter 208-680A WAC.

Chapter 308-128B

ESCROW—LICENSING AND EXAMINATION

308-128B-010 Credit and character report. [Statutory Authority: RCW 18.44.320, 88-19-016 (Order PM 763), § 308-128B-010, filed 9/9/88; Order RE 122, § 308-128B-010, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.

308-128B-020 Fingerprint identification. [Statutory Authority: RCW 18.44.320, 88-19-016 (Order PM 763), § 308-128B-020, filed 9/9/88; Order RE 122, § 308-128B-020, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.

308-128B-030 Notice required of intention to take examination. [Statutory Authority: RCW 18.44.320, 88-19-016 (Order PM 763), § 308-128B-030, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.

308-128B-040 License expiration—Renewal. [Order RE 122, § 308-128B-040, filed 9/21/77.] Repealed by 88-19-016 (Order PM 763), filed 9/9/88. Statutory Authority: RCW 18.44.320.

308-128B-050 Successful applicants must apply for license. [Statutory Authority: RCW 18.44.320, 88-19-016 (Order PM 763), § 308-128B-050, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.

308-128B-060 Inactive escrow officer license. [Statutory Authority: RCW 18.44.320, 88-19-016 (Order PM 763), § 308-128B-060, filed 9/9/88; Order RE 122, § 308-128B-060, filed 9/21/77.] Repealed by 90-03-098, filed 1/24/90, effective 3/1/90. Statutory Authority: RCW 18.44.320.

308-128B-070 Misuse of escrow officer license prohibited. [Order RE 122, § 308-128B-070, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.

308-128B-080 Escrow officer and agent fees. [Statutory Authority: RCW 18.44.320, 91-11-066, § 308-128B-080, filed 5/16/91, effective 6/16/91. Statutory Authority: RCW 18.44.080 and 43.24.086, 90-03-099, § 308-128B-080, filed 1/24/90, effective 3/1/90. Statutory Authority: RCW 43.24.086, 87-18-032 (Order PM 668), § 308-128B-080, filed 8/27/87.] Decodified by letter, filed 2/12/96, effective 4/1/96.

308-128B-090 Dishonored checks and insufficient payment of fees. [Statutory Authority: RCW 18.44.320, 88-19-016 (Order PM 763), § 308-128B-090, filed 9/9/88.] Decodified by letter, filed 2/12/96, effective 4/1/96.

Reviser's note: Later promulgation, see chapter 208-680B WAC.

Chapter 308-128C

ESCROW—ESCROW AGENT OFFICE

308-128C-010 Prevention of the same or deceptively similar escrow agent firm names. [Order RE 122, § 308-128C-010, filed 9/21/77.] Repealed by 88-19-016 (Order PM 763), filed 9/9/88. Statutory Authority: RCW 18.44.320.

308-128C-020 Office identification. [Order RE 122, § 308-128C-020, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.

308-128C-030 Display of licenses. [Order RE 122, § 308-128C-030, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.

308-128C-040 Change of office location. [Statutory Authority: RCW 18.44.320, 94-04-050, § 308-128C-040, filed 1/31/94, effective 3/3/94; 88-19-016 (Order PM 763), § 308-128C-040, filed 9/9/88; Order RE 122, § 308-128C-040, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.

308-128C-050 Deceptive names prohibited. [Statutory Authority: RCW 18.44.320, 94-04-050, § 308-128C-050, filed 1/31/94, effective 3/3/94; 88-19-016 (Order PM 763), § 308-128C-050, filed 9/9/88; Order RE 122, § 308-

128C-050, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.

Reviser's note: Later promulgation, see chapter 208-680C WAC.

Chapter 308-128D

ESCROW—RECORDS AND RESPONSIBILITIES

- 308-128D-010 Designated escrow officer responsibilities. [Statutory Authority: RCW 18.44.320. 94-04-050, § 308-128D-010, filed 1/31/94, effective 3/3/94; 88-19-016 (Order PM 763), § 308-128D-010, filed 9/9/88; Order RE 122, § 308-128D-010, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.
- 308-128D-020 Required records. [Statutory Authority: RCW 18.44.320. 88-23-049 (Order PM 790), § 308-128D-020, filed 11/14/88; 88-19-016 (Order PM 763), § 308-128D-020, filed 9/9/88; Order RE 122, § 308-128D-020, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.
- 308-128D-030 Accuracy and accessibility of records. [Statutory Authority: RCW 18.44.320. 94-04-050, § 308-128D-030, filed 1/31/94, effective 3/3/94; 88-19-016 (Order PM 763), § 308-128D-030, filed 9/9/88; Order RE 122, § 308-128D-030, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.
- 308-128D-040 Agreements and closings. [Statutory Authority: RCW 18.44.320. 94-04-050, § 308-128D-040, filed 1/31/94, effective 3/3/94; 88-23-049 (Order PM 790), § 308-128D-040, filed 11/14/88; Order RE 122, § 308-128D-040, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.
- 308-128D-050 Expeditious performance. [Order RE 122, § 308-128D-050, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.
- 308-128D-060 Disbursement of funds. [Statutory Authority: RCW 18.44.320. 88-23-049 (Order PM 790), § 308-128D-060, filed 11/14/88; Order RE 122, § 308-128D-060, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.
- 308-128D-070 Suit or complaint notification. [Statutory Authority: RCW 18.44.320. 94-04-050, § 308-128D-070, filed 1/31/94, effective 3/3/94; 88-19-016 (Order PM 763), § 308-128D-070, filed 9/9/88; Order RE 122, § 308-128D-070, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.
- 308-128D-080 Escrow licensees' responsibilities. [Statutory Authority: RCW 18.44.320. 88-19-016 (Order PM 763), § 308-128D-080, filed 9/9/88.] Decodified by letter, filed 2/12/96, effective 4/1/96.

Reviser's note: Later promulgation, see chapter 208-680D WAC.

Chapter 308-128E

ESCROW—TRUST ACCOUNT PROCEDURES

- 308-128E-010 Administration of trust accounts. [Order RE 122, § 308-128E-010, filed 9/21/77.] Repealed by 89-07-077 (Order PM 825), filed 3/21/89, effective 6/1/89. Statutory Authority: RCW 18.44.320.
- 308-128E-011 Administration of funds held in trust. [Statutory Authority: RCW 18.44.320. 94-04-050, § 308-128E-011, filed 1/31/94, effective 3/3/94; 89-07-077 (Order PM 825), § 308-128E-011, filed 3/21/89, effective 6/1/89.] Decodified by letter, filed 2/12/96, effective 4/1/96.

Reviser's note: Later promulgation, see chapter 208-680E WAC.

Chapter 308-128F

ESCROW—FINANCIAL RESPONSIBILITY

- 308-128F-010 Bond. [Statutory Authority: RCW 18.44.320. 88-19-016 (Order PM 763), § 308-128F-010, filed 9/9/88; Order RE 122, § 308-128F-010, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.
- 308-128F-020 Errors and omissions policy. [Statutory Authority: RCW 18.44.320. 94-04-050, § 308-128F-020, filed 1/31/94, effective 3/3/94; 88-19-016 (Order PM 763), § 308-128F-020, filed 9/9/88; 79-07-009 (Order RE 126), § 308-128F-020, filed 6/7/79. Statutory Authority: RCW 18.44.360. 78-08-027 (Order RE 124, Resolution No. RE 124), § 308-128F-020, filed 7/14/78; Order RE 122, § 308-128F-020, filed 9/21/77.] Decodified by letter, filed 2/12/96, effective 4/1/96.

- 308-128F-030 Deductible amount. [Order RE 122, § 308-128F-030, filed 9/21/77.] Repealed by 88-19-016 (Order PM 763), filed 9/9/88. Statutory Authority: RCW 18.44.320.
- 308-128F-040 Return of cash deposit or securities. [Statutory Authority: RCW 18.44.320. 88-19-016 (Order PM 763), § 308-128F-040, filed 9/9/88; 79-07-009 (Order RE 126), § 308-128F-040, filed 6/7/79.] Decodified by letter, filed 2/12/96, effective 4/1/96.
- 308-128F-050 Claim on cash deposit or securities. [Statutory Authority: RCW 18.44.320. 88-19-016 (Order PM 763), § 308-128F-050, filed 9/9/88; 79-07-009 (Order RE 126), § 308-128F-050, filed 6/7/79.] Decodified by letter, filed 2/12/96, effective 4/1/96.
- 308-128F-060 Cash deposit, securities—Full force and effect. [Statutory Authority: RCW 18.44.320. 79-07-009 (Order RE 126), § 308-128F-060, filed 6/7/79.] Decodified by letter, filed 2/12/96, effective 4/1/96.
- 308-128F-070 Cancellation of errors and omissions policy, new policy required. [Statutory Authority: RCW 18.44.320. 88-19-016 (Order PM 763), § 308-128F-070, filed 9/9/88; 79-07-009 (Order RE 126), § 308-128F-070, filed 6/7/79.] Decodified by letter, filed 2/12/96, effective 4/1/96.

Reviser's note: Later promulgation, see chapter 208-680F WAC.

Chapter 308-130

NATUROPATHS

- 308-130-320 General provisions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-130-320, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-836-320.
- 308-130-330 Mandatory reporting. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-130-330, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-836-330.
- 308-130-340 Health care institutions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-130-340, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-836-340.
- 308-130-350 Naturopathic associations or societies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-130-350, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-836-350.
- 308-130-360 Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-130-360, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-836-360.
- 308-130-370 Professional liability carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-130-370, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-836-370.
- 308-130-380 Courts. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-130-380, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-836-380.
- 308-130-390 State and federal agencies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-130-390, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-836-390.
- 308-130-400 Cooperation with investigation. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-130-400, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-836-400.
- 308-130-410 AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 88-22-077 (Order PM 786), § 308-130-410, filed 11/2/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-836-410.

Chapter 308-132
SECURITIES ACT RULES

308-132-002, through 308-132-340. [Rule 1 through 51, filed 12/30/65, effective 20/10/60.] Repealed by Order 11, filed 3/3/72.

Chapter 308-136
VETERINARY CODE OF ETHICS

308-136-300 Principles of veterinary medical ethics. [1960 published in Washington Administrative Code under chapter 308-136 WAC (sections unnumbered).] Repealed by Order PL-179, filed 11/27/74.
License renewal fee. [This section was repealed by Order PL-179, filed 11/27/74 before being published in the Washington Administrative Code.] See chapter 308-15 WAC Veterinary board of governor's—Veterinary code of ethics; and chapter 308-151 WAC Veterinary board of governors—Animal technicians.

Chapter 308-137
VETERINARY BOARD OF GOVERNORS—
CONTROLLED SUBSTANCES

308-137-010 Nonnarcotic Schedule II controlled substances—Prohibited. [Order PL-143, § 308-137-010, filed 2/16/73.] Repealed by Order PL-179, filed 11/27/74. See chapters 308-150 and 308-151 WAC.

Chapter 308-138
OSTEOPATHIC PHYSICIANS AND SURGEONS

308-138-010 Waiver of basic science certificate. [Order PL 119, § 308-138-010, filed 4/13/72.] Repealed by 82-17-005 (Order PL 402), filed 8/5/82. Statutory Authority: RCW 18.57.005 and 18.57A.020.
308-138-020 Osteopathic physicians' assistants. [Order PL 223, § 308-138-020, filed 11/5/75; Order PL 120, § 308-138-020, filed 4/13/72.] Repealed by 82-17-005 (Order PL 402), filed 8/5/82. Statutory Authority: RCW 18.57.005 and 18.57A.020. Later promulgation, see WAC 308-138A-020.
308-138-025 Osteopathic physician's assistant prescriptions. [Statutory Authority: RCW 18.57A.020. 79-12-067 (Order PL 325), § 308-138-025, filed 11/29/79.] Repealed by 82-17-005 (Order PL 402), filed 8/5/82. Statutory Authority: RCW 18.57.005 and 18.57A.020. Later promulgation, see WAC 308-138A-025.
308-138-050 License renewal fee. [Order PL 162, § 308-138-050, filed 3/15/74.] Repealed by Order PL 223, filed 11/5/75.
308-138-055 Osteopathic medicine and surgery examination. [Statutory Authority: RCW 18.57.005(2), 18.57A.020 and 18.130.050(1), 88-14-113 (Order 745), § 308-138-055, filed 7/6/88. Statutory Authority: RCW 18.57A.020, 18.57.005 and 18.130.050. 88-09-030 (Order PM 723), § 308-138-055, filed 4/15/88. Statutory Authority: RCW 18.57.005. 85-10-025 (Order PL 527), § 308-138-055, filed 4/24/85. Statutory Authority: 1979 c 117 § 3(3). 79-12-068 (Order PL 321), § 308-138-055, filed 11/29/79.] Decoded by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-020.
308-138-060 Osteopathic physician—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-138-060, filed 9/25/80; Order PL 223, § 308-138-060, filed 11/5/75. Formerly WAC 308-138-050.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-138-080.
308-138-065 Acceptable intern or residency programs. [Statutory Authority: 1979 c 117 § 3(3). 79-12-068 (Order PL 321), § 308-138-065, filed 11/29/79.] Decoded by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-030.
308-138-070 Renewal of licenses. [Statutory Authority: 1988 c 206 § 604. 88-23-124 (Order PM 801), § 308-138-070, filed 11/23/88; Order PL 262, § 308-138-070, filed 1/13/77.] Decoded by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-040.
308-138-080 Osteopathic fees. [Statutory Authority: RCW 43.70.250. 90-04-094 (Order 029), § 308-138-080, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086. 87-10-028 (Order PM 650), § 308-138-080, filed 5/1/87. Statutory Authority: 1983 c 168 § 12. 83-

17-031 (Order PL 442), § 308-138-080, filed 8/10/83. Formerly WAC 308-138-060.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-853-990.

308-138-100 Education. [Statutory Authority: RCW 18.57A.020. 79-02-011 (Order 297), § 308-138-100, filed 1/11/79.] Repealed by 82-17-005 (Order PL 402), filed 8/5/82. Statutory Authority: RCW 18.57.005 and 18.57A.020. Later promulgation, see WAC 308-138B-100.
308-138-110 Equivalency examination. [Statutory Authority: RCW 18.57A.020. 79-02-011 (Order 297), § 308-138-110, filed 1/11/79.] Repealed by 82-17-005 (Order PL 402), filed 8/5/82. Statutory Authority: RCW 18.57.005 and 18.57A.020. Later promulgation, see WAC 308-138B-110.
308-138-120 Experience. [Statutory Authority: RCW 18.57A.020. 79-02-011 (Order 297), § 308-138-120, filed 1/11/79.] Repealed by 82-17-005 (Order PL 402), filed 8/5/82. Statutory Authority: RCW 18.57.005 and 18.57A.020. Later promulgation, see WAC 308-138B-120.
308-138-130 Investigation. [Statutory Authority: RCW 18.57A.020. 79-02-011 (Order 297), § 308-138-130, filed 1/11/79.] Repealed by 82-17-005 (Order PL 402), filed 8/5/82. Statutory Authority: RCW 18.57.005 and 18.57A.020. Later promulgation, see WAC 308-138B-130.
308-138-140 English fluency. [Statutory Authority: RCW 18.57A.020. 79-02-011 (Order 297), § 308-138-140, filed 1/11/79.] Repealed by 82-17-005 (Order PL 402), filed 8/5/82. Statutory Authority: RCW 18.57.005 and 18.57A.020. Later promulgation, see WAC 308-138B-140.
308-138-150 Supervising physicians' knowledge of acupuncture. [Statutory Authority: RCW 18.57A.020. 79-02-011 (Order 297), § 308-138-150, filed 1/11/79.] Repealed by 82-17-005 (Order PL 402), filed 8/5/82. Statutory Authority: RCW 18.57.005 and 18.57A.020. Later promulgation, see WAC 308-138B-150.
308-138-160 Utilization. [Statutory Authority: RCW 18.57A.020. 79-02-011 (Order 297), § 308-138-160, filed 1/11/79.] Repealed by 82-17-005 (Order PL 402), filed 8/5/82. Statutory Authority: RCW 18.57.005 and 18.57A.020. Later promulgation, see WAC 308-138B-160.
308-138-170 X-rays and laboratory tests. [Statutory Authority: RCW 18.57A.020. 79-02-011 (Order 297), § 308-138-170, filed 1/11/79.] Repealed by 82-17-005 (Order PL 402), filed 8/5/82. Statutory Authority: RCW 18.57.005 and 18.57A.020. Later promulgation, see WAC 308-138B-170.
308-138-180 Ethical considerations. [Statutory Authority: RCW 18.57A.020. 79-02-011 (Order 297), § 308-138-180, filed 1/11/79.] Decoded by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-050.
308-138-200 Continuing professional education required. [Statutory Authority: RCW 18.57.005, 18.57A.020 and 18.57A.-070. 84-05-011 (Order PL 457), § 308-138-200, filed 2/7/84. Statutory Authority: 1979 c 117 s 3(4). 79-12-066 (Order 324), § 308-138-200, filed 11/29/79.] Decoded by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-060.
308-138-210 Categories of creditable continuing professional education activities. [Statutory Authority: 1979 c 117 § 3(4). 79-12-066 (Order 324), § 308-138-210, filed 11/29/79.] Decoded by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.-005. Recodified as WAC 246-853-070.
308-138-220 Certification of compliance. [Statutory Authority: 1979 c 117 § 3(4). 79-12-066 (Order 324), § 308-138-220, filed 11/29/79.] Decoded by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-080.
308-138-230 Prior approval not required. [Statutory Authority: 1979 c 117 § 3(4). 79-12-066 (Order 324), § 308-138-230, filed 11/29/79.] Decoded by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-090.
308-138-300 Prohibited publicity and advertising. [Statutory Authority: RCW 18.57.005. 85-22-016 (Order PL 562), § 308-138-300, filed 10/30/85. Statutory Authority: 1979 c 117 § 3(5). 79-12-064 (Order PL 322), § 308-138-300, filed 11/29/79.] Decoded by 90-24-055 (Order 100B),

- 308-138-310 filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-100. Permitted publicity and advertising. [Statutory Authority: 1979 c 117 § 3(5), 79-12-064 (Order PL 322), § 308-138-310, filed 11/29/79.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-110.
- 308-138-320 Malpractice suit reporting. [Statutory Authority: RCW 18.57A.020, 18.57.005 and 18.130.050. 88-09-030 (Order PM 723), § 308-138-320, filed 4/15/88. Statutory Authority: 1979 c 117 § 3(6), 79-12-065 (Order 323), § 308-138-320, filed 11/29/79.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-120.
- 308-138-321 General provisions for mandatory reporting rules. [Statutory Authority: RCW 18.57.005 and 18.130.070. 87-11-062 (Order PM 651), § 308-138-321, filed 5/20/87.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-130.
- 308-138-322 Mandatory reporting. [Statutory Authority: RCW 18.57.005 and 18.130.070. 87-11-062 (Order PM 651), § 308-138-322, filed 5/20/87.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-140.
- 308-138-323 Health care institutions. [Statutory Authority: RCW 18.57.005 and 18.130.070. 87-11-062 (Order PM 651), § 308-138-323, filed 5/20/87.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-150.
- 308-138-324 Medical associations or societies. [Statutory Authority: RCW 18.57.005 and 18.130.070. 87-11-062 (Order PM 651), § 308-138-324, filed 5/20/87.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-160.
- 308-138-325 Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.130.270 [18.130.070], 88-01-104 (Order PM 698), § 308-138-325, filed 12/22/87.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-170.
- 308-138-326 Courts. [Statutory Authority: RCW 18.57.005 and 18.130.070. 87-11-062 (Order PM 651), § 308-138-326, filed 5/20/87.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-180.
- 308-138-327 State and federal agencies. [Statutory Authority: RCW 18.57.005 and 18.130.070. 87-11-062 (Order PM 651), § 308-138-327, filed 5/20/87.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-190.
- 308-138-328 Professional review organizations. [Statutory Authority: RCW 18.130.270 [18.130.070], 88-01-104 (Order PM 698), § 308-138-328, filed 12/22/87.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-200.
- 308-138-330 License reinstatement after lapse of licensure for failure to renew. [Statutory Authority: RCW 18.57.005 and 18.130.070. 87-11-062 (Order PM 651), § 308-138-330, filed 5/20/87. Statutory Authority: RCW 18.57.005 and 18.57A.020. 82-17-005 (Order PL 402), § 308-138-330, filed 8/5/82.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-210.
- 308-138-340 Use of drugs or autotransfusion to enhance athletic ability. [Statutory Authority: RCW 18.57.005(2), 18.57A.020 and 18.130.050(1). 88-21-081 (Order PM 780), § 308-138-340, filed 10/19/88; 88-14-113 (Order 745), § 308-138-340, filed 7/6/88.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-220.
- 308-138-350 AIDS education and training. [Statutory Authority: 1988 c 206 § 604. 88-23-124 (Order PM 801), § 308-138-350, filed 11/23/88.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statu-

tory Authority: RCW 18.57.005. Recodified as WAC 246-853-230.

- 308-138-360 Application for registration. [Statutory Authority: 1988 c 206 § 604. 88-23-124 (Order PM 801), § 308-138-360, filed 11/23/88.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-853-240.

Chapter 308-138A

OSTEOPATHIC PHYSICIANS' ASSISTANTS

- 308-138A-020 Osteopathic physicians' assistants program approval. [Statutory Authority: RCW 18.57.005(2), 89-22-065 (Order PM 863), § 308-138A-020, filed 10/31/89, effective 12/1/89. Statutory Authority: RCW 18.57.005(2), 18.57A.020 and 18.130.050(1). 88-14-113 (Order 745), § 308-138A-020, filed 7/6/88. Statutory Authority: RCW 18.57A.020, 18.57.005 and 18.130.050. 88-09-030 (Order PM 723), § 308-138A-020, filed 4/15/88. Statutory Authority: RCW 18.57A.020. 87-20-099 (Order PM 671), § 308-138A-020, filed 10/7/87. Statutory Authority: RCW 18.57.005. 87-13-004 (Order PM 655), § 308-138A-020, filed 6/4/87. Statutory Authority: RCW 18.57A.020. 83-16-024 (Order PL 440), § 308-138A-020, filed 7/27/83. Statutory Authority: RCW 18.57.005 and 18.57A.020. 82-17-005 (Order PL 402), § 308-138A-020, filed 8/5/82. Formerly WAC 308-138-020.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-854-020.
- 308-138A-025 Osteopathic physician's assistant prescriptions. [Statutory Authority: RCW 18.57A.020, 18.57.005 and 18.130.050. 89-23-067 (Order 018), § 308-138A-025, filed 11/15/89, effective 12/16/89; 88-09-030 (Order PM 723), § 308-138A-025, filed 4/15/88. Statutory Authority: RCW 18.57A.020. 87-20-099 (Order PM 671), § 308-138A-025, filed 10/7/87. Statutory Authority: RCW 18.57.005, 18.57A.020 and 18.57A.070. 84-05-011 (Order PL 457), § 308-138A-025, filed 2/7/84. Statutory Authority: RCW 18.57A.020. 83-16-024 (Order PL 440), § 308-138A-025, filed 7/27/83. Statutory Authority: RCW 18.57.005 and 18.57A.020. 82-17-005 (Order PL 402), § 308-138A-025, filed 8/5/82. Formerly WAC 308-138-025.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-854-030.
- 308-138A-030 Osteopathic physician's assistant use of drugs or autotransfusion to enhance athletic ability. [Statutory Authority: RCW 18.57.005(2), 18.57A.020 and 18.130.050(1). 88-21-081 (Order PM 780), § 308-138A-030, filed 10/19/88.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-854-040.
- 308-138A-040 AIDS education and training. [Statutory Authority: 1988 c 206 § 604. 88-23-124 (Order PM 801), § 308-138A-040, filed 11/23/88.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-854-050.
- 308-138A-050 Application for registration. [Statutory Authority: 1988 c 206 § 604. 88-23-124 (Order PM 801), § 308-138A-050, filed 11/23/88.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-854-060.
- 308-138A-060 Registration renewal requirement. [Statutory Authority: 1988 c 206 § 604. 88-23-124 (Order PM 801), § 308-138A-060, filed 11/23/88.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-854-070.
- 308-138A-070 Osteopathic physicians' assistants registration. [Statutory Authority: RCW 18.57.005(2), 89-22-065 (Order PM 863), § 308-138A-070, filed 10/31/89, effective 12/1/89.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-854-080.
- 308-138A-080 Osteopathic physicians' assistants utilization. [Statutory Authority: RCW 18.57.005(2), 89-22-065 (Order PM 863), § 308-138A-080, filed 10/31/89, effective 12/1/89.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-854-090.

308-138A-090 Osteopathic physicians' assistants reregistration. [Statutory Authority: RCW 18.57.005(2), 89-22-065 (Order PM 863), § 308-138A-090, filed 10/31/89, effective 12/1/89.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-854-100.

Chapter 308-138B

OSTEOPATHIC PHYSICIANS' ACUPUNCTURE ASSISTANTS

308-138B-100 Acupuncture assistant education. [Statutory Authority: RCW 18.57A.020, 83-16-024 (Order PL 440), § 308-138B-100, filed 7/27/83. Statutory Authority: RCW 18.57.005 and 18.57A.020, 82-17-005 (Order PL 402), § 308-138B-100, filed 8/5/82. Formerly WAC 308-138-100.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-855-020.

308-138B-105 Acupuncture—Program approval. [Statutory Authority: RCW 18.57A.020, 83-16-024 (Order PL 440), § 308-138B-105, filed 7/27/83.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-855-030.

308-138B-110 Osteopathic acupuncture physicians' assistant's examination. [Statutory Authority: RCW 18.57.005(2), 18.57A.020 and 18.130.050(1), 88-21-081 (Order PM 780), § 308-138B-110, filed 10/19/88. Statutory Authority: RCW 18.57.005 and 18.57A.020, 82-17-005 (Order PL 402), § 308-138B-110, filed 8/5/82. Formerly WAC 308-138-110.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-855-040.

308-138B-120 Experience. [Statutory Authority: RCW 18.57.005 and 18.57A.020, 82-17-005 (Order PL 402), § 308-138B-120, filed 8/5/82. Formerly WAC 308-138-120.] Repealed by 84-05-011 (Order PL 457), filed 2/7/84. Statutory Authority: RCW 18.57.005, 18.57A.020 and 18.57A.070.]

308-138B-130 Investigation. [Statutory Authority: RCW 18.57.005 and 18.57A.020, 82-17-005 (Order PL 402), § 308-138B-130, filed 8/5/82. Formerly WAC 308-138-130.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-855-050.

308-138B-140 English fluency. [Statutory Authority: RCW 18.57.005 and 18.57A.020, 82-17-005 (Order PL 402), § 308-138B-140, filed 8/5/82. Formerly WAC 308-138-140.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-855-060.

308-138B-150 Supervising physicians' knowledge of acupuncture. [Statutory Authority: RCW 18.57.005 and 18.57A.020, 82-17-005 (Order PL 402), § 308-138B-150, filed 8/5/82. Formerly WAC 308-138-150.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-855-070.

308-138B-160 Utilization. [Statutory Authority: RCW 18.57.005 and 18.57A.020, 82-17-005 (Order PL 402), § 308-138B-160, filed 8/5/82. Formerly WAC 308-138-160.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-855-080.

308-138B-165 Acupuncture—Definition. [Statutory Authority: RCW 18.57.005, 18.57A.020 and 18.57A.070, 84-05-011 (Order PL 457), § 308-138B-165, filed 2/7/84.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-855-010.

308-138B-170 Prohibited techniques and tests. [Statutory Authority: RCW 18.57A.020, 87-20-099 (Order PM 671), § 308-138B-170, filed 10/7/87. Statutory Authority: RCW 18.57.005, 18.57A.020 and 18.57A.070, 84-05-011 (Order PL 457), § 308-138B-170, filed 2/7/84. Statutory Authority: RCW 18.57A.020, 83-16-024 (Order PL 440), § 308-138B-170, filed 7/27/83. Statutory Authority: RCW 18.57.005 and 18.57A.020, 82-17-005 (Order PL 402), § 308-138B-170, filed 8/5/82. Formerly WAC 308-138-170.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-855-090.

308-138B-180 AIDS education and training. [Statutory Authority: 1988 c 206 § 604, 88-23-124 (Order PM 801), § 308-

138B-180, filed 11/23/88.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-855-100.

308-138B-190 Application for registration. [Statutory Authority: 1988 c 206 § 604, 88-23-124 (Order PM 801), § 308-138B-190, filed 11/23/88.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-855-110.

308-138B-200 Registration renewal requirement. [Statutory Authority: 1988 c 206 § 604, 88-23-124 (Order PM 801), § 308-138B-200, filed 11/23/88.] Decodified by 90-24-055 (Order 100B), filed 12/3/90, effective 1/31/91. Statutory Authority: RCW 18.57.005. Recodified as WAC 246-855-120.

Chapter 308-140

CHARITABLE SOLICITATIONS

308-140-010 Definitions. [Statutory Authority: RCW 19.09.100, 83-01-112 (Order PL 417), § 308-140-010, filed 12/21/82; Order PL 274, § 308-140-010, filed 8/29/77; Order PL 161, § 308-140-010, filed 2/26/74.] Repealed by 88-15-031 (Order PM 736), filed 7/13/88. Statutory Authority: RCW 43.24.020.

308-140-020 Fees excluded from cost of solicitation. [Order PL 161, § 308-140-020, filed 2/26/74.] Repealed by 88-15-031 (Order PM 736), filed 7/13/88. Statutory Authority: RCW 43.24.020.

308-140-025 Cost of solicitation disclosure. [Order PL 161, § 308-140-025, filed 2/26/74.] Repealed by Order PL 274, filed 8/29/77.

308-140-030 Forms for all documents required to be filed. [Order PL 161, § 308-140-030, filed 2/26/74.] Repealed by 88-15-031 (Order PM 736), filed 7/13/88. Statutory Authority: RCW 43.24.020.

308-140-040 Official address of director and department. [Order PL 274, § 308-140-040, filed 8/29/77; Order PL 161, § 308-140-040, filed 2/26/74.] Repealed by 88-15-031 (Order PM 736), filed 7/13/88. Statutory Authority: RCW 43.24.020.

308-140-050 Thirty days advance filing of solicitation required. [Order PL 274, § 308-140-050, filed 8/29/77; Order PL 161, § 308-140-050, filed 2/26/74.] Repealed by 83-01-112 (Order PL 417), filed 12/21/82. Statutory Authority: RCW 19.09.100.

308-140-060 Satisfaction of financial statement filing requirements. [Order PL 161, § 308-140-060, filed 2/26/74.] Repealed by Order PL 274, filed 8/29/77.

308-140-070 Acceptable address designation for registration. [Order PL 161, § 308-140-070, filed 2/26/74.] Repealed by 88-15-031 (Order PM 736), filed 7/13/88. Statutory Authority: RCW 43.24.020.

308-140-080 Application fee refund. [Order PL 161, § 308-140-080, filed 2/26/74.] Repealed by 83-01-112 (Order PL 417), filed 12/21/82. Statutory Authority: RCW 19.09.100.

308-140-090 Duplicate registration certificate fee. [Order PL 161, § 308-140-090, filed 2/26/74.] Repealed by Order PL 210, filed 11/5/75. Later promulgation, see WAC 308-140-280.

308-140-100 Exemption not transferable. [Statutory Authority: RCW 19.09.100, 83-01-112 (Order PL 417), § 308-140-100, filed 12/21/82; Order PL 161, § 308-140-100, filed 2/26/74.] Repealed by 88-15-031 (Order PM 736), filed 7/13/88. Statutory Authority: RCW 43.24.020.

308-140-110 Solicitor identification card. [Order PL 161, § 308-140-110, filed 2/26/74.] Repealed by Order PL 274, filed 8/29/77.

308-140-120 Identification cards issued by or available from department. [Order PL 161, § 308-140-120, filed 2/26/74.] Repealed by Order PL 274, filed 8/29/77.

308-140-130 Short form report requirements. [Order PL 161, § 308-140-130, filed 2/26/74.] Repealed by Order PL 274, filed 8/29/77.

308-140-140 Advance notification of change of fiscal year. [Order PL 161, § 308-140-140, filed 2/26/74.] Repealed by 83-01-112 (Order PL 417), filed 12/21/82. Statutory Authority: RCW 19.09.100.

308-140-150 Annual report by department. [Statutory Authority: RCW 19.09.310, 80-15-059 (Order PL 357), § 308-140-150, filed 10/15/80; Order PL 161, § 308-140-150, filed 2/26/74.] Repealed by 83-01-112 (Order PL 417), filed 12/21/82. Statutory Authority: RCW 19.09.100.

Title 308**Title 308 WAC: Department of Licensing**

- 308-140-160 Reporting procedure for incidental solicitations. [Order PL 161, § 308-140-160, filed 2/26/74.] Repealed by 83-01-112 (Order PL 417), filed 12/21/82. Statutory Authority: RCW 19.09.100.
- 308-140-170 Professional solicitor identification requirements. [Order PL 161, § 308-140-170, filed 2/26/74.] Repealed by 83-01-112 (Order PL 417), filed 12/21/82. Statutory Authority: RCW 19.09.100.
- 308-140-180 Telephone solicitors identification requirements. [Order PL 161, § 308-140-180, filed 2/26/74.] Repealed by Order PL 274, filed 8/29/77.
- 308-140-190 Material facts defined. [Order PL 161, § 308-140-190, filed 2/26/74.] Repealed by 83-01-112 (Order PL 417), filed 12/21/82. Statutory Authority: RCW 19.09.100.
- 308-140-200 Director's designee. [Order PL 274, § 308-140-200, filed 8/29/77; Order PL 161, § 308-140-200, filed 2/26/74.] Repealed by 83-01-112 (Order PL 417), filed 12/21/82. Statutory Authority: RCW 19.09.100.
- 308-140-210 Registration renewal procedures. [Statutory Authority: RCW 19.09.310. 80-15-059 (Order PL 357), § 308-140-210, filed 10/15/80; Order PL 274, § 308-140-210, filed 8/29/77; Order PL 161, § 308-140-210, filed 2/26/74.] Repealed by 83-01-112 (Order PL 417), filed 12/21/82. Statutory Authority: RCW 19.09.100.
- 308-140-230 Reporting requirements for organizations with chapters, branches or affiliates. [Order PL 161, § 308-140-230, filed 2/26/74.] Repealed by Order PL 274, filed 8/29/77.
- 308-140-240 Professional fund-raiser registration requirements—Personnel disclosure. [Statutory Authority: RCW 19.09.310. 80-15-059 (Order PL 357), § 308-140-240, filed 10/15/80; Order PL 161, § 308-140-240, filed 2/26/74.] Repealed by 83-01-112 (Order PL 417), filed 12/21/82. Statutory Authority: RCW 19.09.100.
- 308-140-250 Professional fund-raisers contracts filing requirement. [Order PL 161, § 308-140-250, filed 2/26/74.] Repealed by 88-15-031 (Order PM 736), filed 7/13/88. Statutory Authority: RCW 43.24.020.
- 308-140-260 Financial statements limited to in-state activities. [Order PL 161, § 308-140-260, filed 2/26/74.] Repealed by Order PL 274, filed 8/29/77.
- 308-140-270 Standards of advertising for solicitation purposes. [Order PL 274, § 308-140-270, filed 8/29/77; Order PL 161, § 308-140-270, filed 2/26/74.] Repealed by 88-15-031 (Order PM 736), filed 7/13/88. Statutory Authority: RCW 43.24.020.
- 308-140-280 Fees. [Order PL 274, § 308-140-280, filed 8/29/77; Order PL 210, § 308-140-280, filed 11/5/75.] Repealed by 83-01-112 (Order PL 417), filed 12/21/82. Statutory Authority: RCW 19.09.100.
- 308-140-300 Waiver of percentage limitation. [Statutory Authority: RCW 19.09.100. 83-01-112 (Order PL 417), § 308-140-300, filed 12/21/82.] Repealed by 88-15-031 (Order PM 736), filed 7/13/88. Statutory Authority: RCW 43.24.020.

Chapter 308-150**VETERINARY BOARD OF GOVERNORS—
VETERINARY CODE OF PROFESSIONAL CONDUCT/ETHICS**

- 308-150-005 Definitions. [Order PL 179, § 308-150-005, filed 11/27/74.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-010.
- 308-150-006 Objectives. [Statutory Authority: RCW 18.92.030. 80-09-106 (Order PL 351), § 308-150-006, filed 7/23/80.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-020.
- 308-150-007 Degree of skills. [Statutory Authority: RCW 18.92.030. 80-09-106 (Order PL 351), § 308-150-007, filed 7/23/80.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-030.
- 308-150-008 Exercise of professional judgment and skills. [Statutory Authority: RCW 18.92.030. 80-09-106 (Order PL 351), § 308-150-008, filed 7/23/80.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-040.
- 308-150-009 Emergency care of animals of unknown ownership. [Statutory Authority: RCW 18.92.030. 86-01-085 (Order PL 575), § 308-150-009, filed 12/18/85; 80-09-106 (Order PL 351), § 308-150-009, filed 7/23/80.] Decodified by 91-02-060 (Order 108B), filed 12/28/90,

- effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-050.
- 308-150-010 Neglect of patients. [Order PL 179, § 308-150-010, filed 11/27/74.] Repealed by 80-09-106 (Order PL 351), filed 7/23/80. Statutory Authority: RCW 18.92.030.
- 308-150-011 Patient abandonment. [Statutory Authority: RCW 18.92.030. 80-09-106 (Order PL 351), § 308-150-011, filed 7/23/80.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-060.
- 308-150-012 Provision of alternate veterinary services for clients. [Statutory Authority: RCW 18.92.030. 80-09-106 (Order PL 351), § 308-150-012, filed 7/23/80.] Repealed by 86-01-085 (Order PL 575), filed 12/18/85. Statutory Authority: RCW 18.92.030.
- 308-150-013 Emergency services. [Statutory Authority: RCW 18.92.030. 88-08-033 (Order PM 719), § 308-150-013, filed 4/1/88; 86-01-085 (Order PL 575), § 308-150-013, filed 12/18/85.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-070.
- 308-150-014 Honesty, integrity and fair dealing. [Statutory Authority: 1988 c 206 § 604 and RCW 18.92.030. 89-10-076 (Order PM 836), § 308-150-014, filed 5/3/89. Statutory Authority: RCW 18.92.030. 86-01-085 (Order PL 575), § 308-150-014, filed 12/18/85.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-080.
- 308-150-015 Advertisement. [Order PL 179, § 308-150-015, filed 11/27/74.] Repealed by 80-09-106 (Order PL 351), filed 7/23/80. Statutory Authority: RCW 18.92.030.
- 308-150-020 Third party advertisement. [Order PL 179, § 308-150-020, filed 11/27/74.] Repealed by 80-09-106 (Order PL 351), filed 7/23/80. Statutory Authority: RCW 18.92.-030.
- 308-150-025 Procuring or aiding unlicensed practice. [Order PL 179, § 308-150-025, filed 11/27/74.] Repealed by 80-09-106 (Order PL 351), filed 7/23/80. Statutory Authority: RCW 18.92.030.
- 308-150-030 Validation of health certificate. [Order PL 179, § 308-150-030, filed 11/27/74.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-090.
- 308-150-035 Inspection of animals. [Order PL 179, § 308-150-035, filed 11/27/74.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-100.
- 308-150-040 Testimonials. [Order PL 179, § 308-150-040, filed 11/27/74.] Repealed by 80-09-106 (Order PL 351), filed 7/23/80. Statutory Authority: RCW 18.92.030.
- 308-150-045 Drugs and controlled substances. [Order PL 179, § 308-150-045, filed 11/27/74.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-110.
- 308-150-050 Nonnarcotic Schedule II controlled substances—Prohibited. [Order PL 179, § 308-150-050, filed 11/27/74.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-120.
- 308-150-055 Minimum sanitary conditions. [Order PL 179, § 308-150-055, filed 11/27/74.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-130.
- 308-150-060 Prohibited publicity and advertising. [Statutory Authority: RCW 18.92.030. 80-09-106 (Order PL 351), § 308-150-060, filed 7/23/80.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-140.
- 308-150-061 Honoring of publicity and advertisements. [Statutory Authority: RCW 18.92.030. 80-09-106 (Order PL 351), § 308-150-061, filed 7/23/80.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-150.
- 308-150-062 Prohibited transactions. [Statutory Authority: RCW 18.92.030. 80-09-106 (Order PL 351), § 308-150-062, filed 7/23/80.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-160.

308-150-070 Cooperation with the board. [Statutory Authority: RCW 18.92.030, 80-09-106 (Order PL 351), § 308-150-070, filed 7/23/80.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-170.

**Chapter 308-151
VETERINARY BOARD OF GOVERNORS—VETERINARY
EDUCATION AND EXAMINATION REQUIREMENTS**

308-151-050 Approval of courses. [Order PL 179, § 308-151-050, filed 11/27/74.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-220.

308-151-060 Foreign trained veterinarians. [Order PL 232, § 308-151-060, filed 11/17/75.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-230.

308-151-070 Practical examination requirement. [Statutory Authority: RCW 18.92.030, 79-10-087 (Order 318), § 308-151-070, filed 9/21/79.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-240.

308-151-080 Examination procedures. [Statutory Authority: RCW 18.92.030, 88-08-033 (Order PM 719), § 308-151-080, filed 4/1/88; 85-03-085 (Order PL 509), § 308-151-080, filed 1/18/85. Statutory Authority: RCW 18.92.030 and 18.92.070, 83-07-050 (Order PL 429), § 308-151-080, filed 3/18/83. Statutory Authority: RCW 18.92.030, 80-05-032 (Order 340), § 308-151-080, filed 4/15/80.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.-030. Recodified as WAC 246-933-250.

308-151-090 Frequency and location of examinations. [Statutory Authority: RCW 18.92.030, 88-08-033 (Order PM 719), § 308-151-090, filed 4/1/88; 80-05-032 (Order 340), § 308-151-090, filed 4/15/80.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-260.

308-151-100 Examination results. [Statutory Authority: RCW 18.92.030, 85-07-021 (Order PL 523), § 308-151-100, filed 3/13/85; 85-03-085 (Order PL 509), § 308-151-100, filed 1/18/85. Statutory Authority: RCW 18.92.030 and 18.92.070, 83-07-050 (Order PL 429), § 308-151-100, filed 3/18/83. Statutory Authority: RCW 18.92.030, 80-16-023 (Order PL 358), § 308-151-100, filed 10/29/80; 80-05-032 (Order 340), § 308-151-100, filed 4/15/80.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-270.

308-151-110 Examination review procedures. [Statutory Authority: RCW 18.92.030, 86-08-068 (Order PL 584), § 308-151-110, filed 4/1/86.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-280.

**Chapter 308-152
VETERINARY FEES**

308-152-010 Veterinary—Fees. [Statutory Authority: RCW 43.24.-085, 80-14-022 (Order 356), § 308-152-010, filed 9/25/80; Order PL 229, § 308-152-010, filed 11/6/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-152-015.

308-152-015 Fees. [Statutory Authority: 1983 c 168 § 12, 83-22-060 (Order PL 446), § 308-152-015, filed 11/2/83; 83-17-031 (Order PL 442), § 308-152-015, filed 8/10/83. Formerly WAC 308-152-010.] Repealed by 87-10-028 (Order PM 650), filed 5/1/87. Statutory Authority: RCW 43.24.086.

308-152-020 Renewal of licenses. [Order PL 262, § 308-152-020, filed 1/13/77.] Decodedified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-933-980.

308-152-030 Veterinary fees. [Statutory Authority: RCW 43.70.250, 90-18-039 (Order 084), § 308-152-030, filed 8/29/90, effective 9/29/90; 90-04-094 (Order 029), § 308-152-030, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086, 87-10-028 (Order PM 650), § 308-152-030, filed 5/1/87.] Repealed by 91-02-050 (Order

122), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040.

**Chapter 308-153
MINIMUM STANDARDS FOR VETERINARY MEDICAL
FACILITIES AND PRACTICE MANAGEMENT**

308-153-010 Definitions. [Statutory Authority: RCW 18.92.030, 89-02-006 (Order PM 804), § 308-153-010, filed 12/27/88. Statutory Authority: RCW 18.92.030, 18.130.050 (1) and (12) and 1986 c 259 § 139, 86-13-070 (Order PM 600), § 308-153-010, filed 6/18/86; Order PL-236, § 308-153-010, filed 2/18/76.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-310.

308-153-020 General requirements for all veterinary medical facilities. [Statutory Authority: RCW 18.92.030, 88-08-033 (Order PM 719), § 308-153-020, filed 4/1/88. Statutory Authority: RCW 18.92.030, 18.130.050 (1) and (12) and 1986 c 259 § 139, 86-13-070 (Order PM 600), § 308-153-020, filed 6/18/86; Order PL-236, § 308-153-020, filed 2/18/76.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-320.

308-153-030 Minimum physical facilities. [Statutory Authority: RCW 18.92.030, 89-02-006 (Order PM 804), § 308-153-030, filed 12/27/88; 88-08-033 (Order PM 719), § 308-153-030, filed 4/1/88. Statutory Authority: RCW 18.92.030, 18.130.050 (1) and (12) and 1986 c 259 § 139, 86-13-070 (Order PM 600), § 308-153-030, filed 6/18/86; Order PL-236, § 308-153-030, filed 2/18/76.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-330.

308-153-040 Minimum aseptic surgery facility. [Order PL-236, § 308-153-040, filed 2/18/76.] Repealed by 86-13-070 (Order PM 600), filed 6/18/86. Statutory Authority: RCW 18.92.030, 18.130.050 (1) and (12) and 1986 c 259 § 139.

308-153-045 Practice management. [Statutory Authority: RCW 18.92.030, 89-02-006 (Order PM 804), § 308-153-045, filed 12/27/88. Statutory Authority: RCW 18.92.030, 18.130.050 (1) and (12) and 1986 c 259 § 139, 86-13-070 (Order PM 600), § 308-153-045, filed 6/18/86.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-340.

**Chapter 308-154
CONTINUING EDUCATION REQUIREMENTS
FOR VETERINARIANS**

308-154-010 Citation and purpose. [Order 233, § 308-154-010, filed 2/16/77.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-401.

308-154-020 Basic requirement—Amount. [Order 233, § 308-154-020, filed 2/16/77.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-420.

308-154-030 Effective date of requirement. [Order 233, § 308-154-030, filed 2/16/77.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-430.

308-154-040 Exceptions. [Statutory Authority: RCW 18.92.030, 80-16-023 (Order PL 358), § 308-154-040, filed 10/29/80; Order 233, § 308-154-040, filed 2/16/77.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-440.

308-154-050 Qualification of program for continuing education credit. [Order 233, § 308-154-050, filed 2/16/77.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.-030. Recodified as WAC 246-933-450.

308-154-060 Programs approved by the veterinary board. [Order 233, § 308-154-060, filed 2/16/77.] Decodedified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-460.

308-154-070 Reporting of continuing education requirement. [Statutory Authority: RCW 18.92.030, 80-16-023 (Order PL

- 358), § 308-154-070, filed 10/29/80; Order 233, § 308-154-070, filed 2/16/77.] Repealed by 86-13-070 (Order PM 600), filed 6/18/86. Statutory Authority: RCW 18.92.030, 18.130.050 (1) and (12) and 1986 c 259 § 139.
- 308-154-080 Continuing education—Certification of compliance. [Statutory Authority: RCW 18.92.030. 80-16-023 (Order PL 358), § 308-154-080, filed 10/29/80.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-470.
- 308-154-085 AIDS prevention and information education requirements. [Statutory Authority: 1988 c 206 § 604 and RCW 18.92.030. 89-10-076 (Order PM 836), § 308-154-085, filed 5/3/89.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-480.

Chapter 308-156

REGISTRATION OF ANIMAL TECHNICIANS

- 308-156-010 Definitions. [Statutory Authority: RCW 18.92.015 and 18.92.030. 83-19-055 (Order PL 445), § 308-156-010, filed 9/19/83. Statutory Authority: RCW 18.92.030. 80-01-069 (Order PL 332), § 308-156-010, filed 12/21/79.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.-030. Recodified as WAC 246-935-010.
- 308-156-020 Applications—Animal technicians. [Statutory Authority: RCW 18.92.015 and 18.92.030. 83-19-055 (Order PL 445), § 308-156-020, filed 9/19/83. Statutory Authority: RCW 18.92.030. 80-01-069 (Order PL 332), § 308-156-020, filed 12/21/79.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-935-020.
- 308-156-030 Grounds for denial, suspension or revocation of registration. [Statutory Authority: RCW 18.92.015 and 18.92.-030. 83-19-055 (Order PL 445), § 308-156-030, filed 9/19/83. Statutory Authority: RCW 18.92.030. 80-01-069 (Order PL 332), § 308-156-030, filed 12/21/79.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.-030. Recodified as WAC 246-935-030.
- 308-156-040 Unrestricted animal health care services. [Statutory Authority: RCW 18.92.030. 80-01-069 (Order PL 332), § 308-156-040, filed 12/21/79.] Repealed by 83-19-055 (Order PL 445), filed 9/19/83. Statutory Authority: RCW 18.92.015 and 18.92.030.
- 308-156-045 Responsibilities of veterinarian supervising an animal technician or an unregistered assistant. [Statutory Authority: RCW 18.92.015 and 18.92.030. 83-19-055 (Order PL 445), § 308-156-045, filed 9/19/83.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-935-040.
- 308-156-050 Animal health care tasks. [Statutory Authority: RCW 18.92.015 and 18.92.030. 83-19-055 (Order PL 445), § 308-156-050, filed 9/19/83.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-935-050.
- 308-156-055 Approval of post high school courses. [Statutory Authority: RCW 18.92.015 and 18.92.030. 83-19-055 (Order PL 445), § 308-156-055, filed 9/19/83.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-935-060.
- 308-156-060 Examination for registration as animal technician. [Statutory Authority: RCW 18.92.030. 88-08-033 (Order PM 719), § 308-156-060, filed 4/1/88. Statutory Authority: RCW 18.92.015 and 18.92.030. 83-19-055 (Order PL 445), § 308-156-060, filed 9/19/83. Statutory Authority: RCW 18.92.030. 80-01-069 (Order PL 332), § 308-156-060, filed 12/21/79.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-935-070.
- 308-156-070 Grading of examinations. [Statutory Authority: RCW 18.92.030. 85-03-085 (Order PL 509), § 308-156-070, filed 1/18/85. Statutory Authority: RCW 18.92.015 and 18.92.030. 83-19-055 (Order PL 445), § 308-156-070, filed 9/19/83. Statutory Authority: RCW 18.92.030. 80-01-069 (Order PL 332), § 308-156-070, filed 12/21/79.]

Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.-030. Recodified as WAC 246-935-080.

- 308-156-075 Examination review procedures. [Statutory Authority: RCW 18.92.030. 86-08-068 (Order PL 584), § 308-156-075, filed 4/1/86.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-935-090.
- 308-156-080 Reexamination. [Statutory Authority: RCW 18.92.015 and 18.92.030. 83-19-055 (Order PL 445), § 308-156-080, filed 9/19/83. Statutory Authority: RCW 18.92.-030. 80-01-069 (Order PL 332), § 308-156-080, filed 12/21/79.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-935-100.
- 308-156-090 Examination procedures. [Statutory Authority: RCW 18.92.030. 88-08-033 (Order PM 719), § 308-156-090, filed 4/1/88. Statutory Authority: RCW 18.92.015 and 18.92.030. 83-19-055 (Order PL 445), § 308-156-090, filed 9/19/83. Statutory Authority: RCW 18.92.030. 80-01-069 (Order PL 332), § 308-156-090, filed 12/21/79.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.-030. Recodified as WAC 246-935-110.
- 308-156-100 Frequency and location of examination. [Statutory Authority: RCW 18.92.030. 88-08-033 (Order PM 719), § 308-156-100, filed 4/1/88. Statutory Authority: RCW 18.92.015 and 18.92.030. 83-19-055 (Order PL 445), § 308-156-100, filed 9/19/83. Statutory Authority: RCW 18.92.030. 80-01-069 (Order PL 332), § 308-156-100, filed 12/21/79.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-935-120.
- 308-156-200 AIDS prevention and information education requirements. [Statutory Authority: 1988 c 206 § 604 and RCW 18.92.030. 89-10-076 (Order PM 836), § 308-156-200, filed 5/3/89.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-935-130.

Chapter 308-157

MISCELLANEOUS PROCEDURES AND REQUIREMENTS

- 308-157-010 Disciplinary reinstatement procedures. [Statutory Authority: RCW 18.92.030. 89-02-006 (Order PM 804), § 308-157-010, filed 12/27/88.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-935-140.

Chapter 308-158

SUBSTANCE ABUSE MONITORING PROGRAMS FOR VETERINARIANS

- 308-158-010 Intent. [Statutory Authority: RCW 18.130.175. 90-21-029 (Order 93), § 308-158-010, filed 10/9/90, effective 11/10/90.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-601.
- 308-158-020 Definitions. [Statutory Authority: RCW 18.130.175. 90-21-029 (Order 93), § 308-158-020, filed 10/9/90, effective 11/10/90.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-610.
- 308-158-030 Approval of substance abuse monitoring programs. [Statutory Authority: RCW 18.130.175. 90-21-029 (Order 93), § 308-158-030, filed 10/9/90, effective 11/10/90.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-620.
- 308-158-040 Participation in approved substance abuse monitoring program. [Statutory Authority: RCW 18.130.175. 90-21-029 (Order 93), § 308-158-040, filed 10/9/90, effective 11/10/90.] Decodified by 91-02-060 (Order 108B), filed 12/28/90, effective 1/31/91. Statutory Authority: RCW 18.92.030. Recodified as WAC 246-933-630.

Chapter 308-160

PROPRIETARY SCHOOLS

- 308-160-010 Fees. [Order PL 217, § 308-160-010, filed 11/5/75.] Repealed pursuant to RCW 43.131.090(4), effective 6/30/79 and 1977 ex.s. c 289 § 17.

Chapter 308-170
LICENSING OF REGISTERED SANITARIANS

- 308-170-040 Application for registration—Process. [Statutory Authority: RCW 18.90.020(2). 81-01-082 (Order PL 364), § 308-170-040, filed 12/17/80.] Repealed by 98-13-045, filed 6/10/98, effective 7/11/98. Statutory Authority: RCW 34.05.354.
- 308-170-050 Registered sanitarians—Written examination. [Statutory Authority: RCW 18.90.020(2). 81-01-082 (Order PL 364), § 308-170-050, filed 12/17/80.] Repealed by 98-13-045, filed 6/10/98, effective 7/11/98. Statutory Authority: RCW 34.05.354.

Chapter 308-171
OCCUPATIONAL THERAPY

- 308-171-001 Definitions. [Statutory Authority: Chapter 18.59 RCW. 90-16-071 (Order 075), § 308-171-001, filed 7/30/90, effective 8/30/90. Statutory Authority: RCW 18.59.130 and 18.130.050. 87-09-044 (Order PM 645), § 308-171-001, filed 4/14/87. Statutory Authority: RCW 18.59.130(2) and 18.130.050(1). 86-17-064 (Order PM 610), § 308-171-001, filed 8/19/86. Statutory Authority: RCW 18.59.130(2) and 18.59.020(5). 86-10-004 (Order PL 588), § 308-171-001, filed 4/24/86. Statutory Authority: RCW 18.59.130(2). 85-12-010 (Order PL 529), § 308-171-001, filed 5/23/85. Statutory Authority: RCW 18.59.130(2) and 18.59.020. 85-05-008 (Order PL 513), § 308-171-001, filed 2/11/85.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-010.
- 308-171-002 Persons exempt from the definition of an occupational therapy aide. [Statutory Authority: RCW 18.59.130 and 18.130.050. 87-09-044 (Order PM 645), § 308-171-002, filed 4/14/87. Statutory Authority: RCW 18.59.130(2). 87-01-088 (Order PM 630), § 308-171-002, filed 12/22/86.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-020.
- 308-171-003 Occupational therapists acting in a consulting capacity. [Statutory Authority: RCW 18.59.130 and 18.130.050. 87-09-044 (Order PM 645), § 308-171-003, filed 4/14/87.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-030.
- 308-171-010 Recognized educational programs—Occupational therapists. [Statutory Authority: Chapter 18.59 RCW. 90-16-071 (Order 075), § 308-171-010, filed 7/30/90, effective 8/30/90. Statutory Authority: RCW 18.59.130 and 18.130.050. 89-01-081 (Order PM 805), § 308-171-010, filed 12/20/88. Statutory Authority: RCW 18.59.050. 88-09-031 (Order PM 721), § 308-171-010, filed 4/15/88. Statutory Authority: RCW 18.59.130 and 18.130.050. 87-09-044 (Order PM 645), § 308-171-010, filed 4/14/87. Statutory Authority: RCW 18.59.130(2). 85-05-008 (Order PL 513), § 308-171-010, filed 2/11/85.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-040.
- 308-171-020 Recognized educational programs—Occupational therapy assistants. [Statutory Authority: Chapter 18.59 RCW. 90-16-071 (Order 075), § 308-171-020, filed 7/30/90, effective 8/30/90. Statutory Authority: RCW 18.59.130 and 18.130.050. 89-01-081 (Order PM 805), § 308-171-020, filed 12/20/88. Statutory Authority: RCW 18.59.050. 88-09-031 (Order PM 721), § 308-171-020, filed 4/15/88. Statutory Authority: RCW 18.59.130 and 18.130.050. 87-09-044 (Order PM 645), § 308-171-020, filed 4/14/87. Statutory Authority: RCW 18.59.130(2). 85-05-008 (Order PL 513), § 308-171-020, filed 2/11/85.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-050.
- 308-171-030 Fees. [Statutory Authority: RCW 18.59.110. 87-04-015 (Order PM 636), § 308-171-030, filed 1/26/87; 85-06-012 (Order PL 514), § 308-171-030, filed 2/22/85.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-060.
- 308-171-040 License renewal registration date and fee. [Statutory Authority: RCW 18.59.130 and 18.130.050. 89-01-081 (Order PM 805), § 308-171-040, filed 12/20/88. Statutory Authority: RCW 18.59.110. 87-04-015 (Order PM 636), § 308-171-040, filed 1/26/87; 85-06-012 (Order PL 514), § 308-171-040, filed 2/22/85.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-060.
- 308-171-041 Continued competency. [Statutory Authority: RCW 18.59.130. 90-22-011 (Order 094), § 308-171-041, filed 10/26/90, effective 11/26/90.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-065.
- 308-171-045 Inactive status. [Statutory Authority: RCW 18.59.130. 90-22-011 (Order 094), § 308-171-045, filed 10/26/90, effective 11/26/90. Statutory Authority: RCW 18.59.090(3). 86-21-026 (Order PM 620), § 308-171-045, filed 10/8/86.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-070.
- 308-171-100 Examinations. [Statutory Authority: RCW 18.59.130(2). 86-10-004 (Order PL 588), § 308-171-100, filed 4/24/86; 85-05-008 (Order PL 513), § 308-171-100, filed 2/11/85.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-080.
- 308-171-101 Proof of actual practice. [Statutory Authority: RCW 18.59.130(2) and 18.59.070(3). 85-05-008 (Order PL 513), § 308-171-101, filed 2/11/85.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-090.
- 308-171-102 Examination dates for applicants under RCW 18.59.070(3). [Statutory Authority: RCW 18.59.130(2). 85-05-008 (Order PL 513), § 308-171-102, filed 2/11/85.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-100.
- 308-171-103 Persons exempt from licensure pursuant to RCW 18.59.040(5). [Statutory Authority: RCW 18.59.130(2) and 18.59.050(1). 86-17-064 (Order PM 610), § 308-171-103, filed 8/19/86. Statutory Authority: RCW 18.59.130(2) and 18.59.040 (5)(b). 86-10-004 (Order PL 588), § 308-171-103, filed 4/24/86. Statutory Authority: RCW 18.59.130(2). 85-12-010 (Order PL 529), § 308-171-103, filed 5/23/85.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-110.
- 308-171-104 Foreign trained applicants. [Statutory Authority: RCW 18.59.130(2). 86-17-064 (Order PM 610), § 308-171-104, filed 8/19/86; 86-10-004 (Order PL 588), § 308-171-104, filed 4/24/86.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-120.
- 308-171-200 Definition of "commonly accepted standards for the profession." [Statutory Authority: RCW 18.59.130(2) and 18.130.050(1). 86-17-064 (Order PM 610), § 308-171-200, filed 8/19/86. Statutory Authority: RCW 18.59.130(2), 18.59.040 (5)(b) and 18.59.070(1). 86-10-004 (Order PL 588), § 308-171-200, filed 4/24/86. Statutory Authority: RCW 18.59.130(2) and 18.59.070. 85-05-008 (Order PL 513), § 308-171-200, filed 2/11/85.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-130.
- 308-171-201 Supervised fieldwork experience—Occupational therapists. [Statutory Authority: RCW 18.59.130(2). 87-01-088 (Order PM 630), § 308-171-201, filed 12/22/86; 85-05-008 (Order PL 513), § 308-171-201, filed 2/11/85.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-140.
- 308-171-202 Supervised fieldwork experience—Occupational therapy assistants. [Statutory Authority: RCW 18.59.130(2). 85-05-008 (Order PL 513), § 308-171-202, filed 2/11/85.] Decoded by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-150.
- 308-171-300 Unprofessional conduct or gross incompetency. [Statutory Authority: RCW 18.59.130(2) and 18.130.050(1). 86-17-064 (Order PM 610), § 308-171-300, filed 8/19/86. Statutory Authority: RCW 18.59.130(2) and

	18.59.100. 85-05-008 (Order PL 513), § 308-171-300, filed 2/11/85.] Decodedified by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-160.	
308-171-301	Code of ethics and standards of professional conduct. [Statutory Authority: RCW 18.59.130. 90-22-011 (Order 094), § 308-171-301, filed 10/26/90, effective 11/26/90. Statutory Authority: RCW 18.59.130(2) and 18.130.050(1). 86-17-064 (Order PM 610), § 308-171-301, filed 8/19/86. Statutory Authority: RCW 18.59.130(2) and 18.59.100 (1)(b). 85-12-010 (Order PL 529), § 308-171-301, filed 5/23/85.] Decodedified by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-170.	308-173-220
308-171-302	Mandatory reporting. [Statutory Authority: RCW 18.59.070 and 18.130.050(1). 86-17-064 (Order PM 610), § 308-171-302, filed 8/19/86.] Decodedified by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-180.	308-173-230
308-171-310	Occupational therapy fees. [Statutory Authority: RCW 43.24.086. 87-10-028 (Order PM 650), § 308-171-310, filed 5/1/87.] Decodedified by 91-05-030 (Order 135), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-847-990.	308-173-240
308-171-320	AIDS education and training. [Statutory Authority: RCW 18.59.130. 90-22-011 (Order 094), § 308-171-320, filed 10/26/90, effective 11/26/90. Statutory Authority: RCW 18.59.130 and 18.130.050. 89-01-081 (Order PM 805), § 308-171-320, filed 12/20/88.] Decodedified by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-190.	308-173-245
308-171-330	Application for licensure. [Statutory Authority: RCW 18.59.130 and 18.130.050. 89-01-081 (Order PM 805), § 308-171-330, filed 12/20/88.] Decodedified by 91-05-027 (Order 112B), filed 2/12/91, effective 3/15/91. Statutory Authority: RCW 18.59.130. Recodified as WAC 246-847-200.	308-173-250
Chapter 308-173		
NURSING ASSISTANTS		
308-173-010	General provisions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-173-010, filed 6/30/89.] Decodedified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-841-710.	308-173-255
308-173-020	Mandatory reporting. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-173-020, filed 6/30/89.] Decodedified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-841-720.	308-173-260
308-173-070	Courts. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-173-070, filed 6/30/89.] Decodedified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-841-730.	308-173-265
308-173-080	State and federal agencies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-173-080, filed 6/30/89.] Decodedified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-841-740.	308-173-270
308-173-090	Cooperation with investigation. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-173-090, filed 6/30/89.] Decodedified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-841-750.	308-173-275
308-173-100	AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 88-22-077 (Order PM 786), § 308-173-100, filed 11/2/88.] Decodedified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-841-610.	308-173-280
308-173-130	Nursing assistant—Fees. [Statutory Authority: RCW 43.70.250. 90-04-094 (Order 029), § 308-173-130, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086. 88-20-075 (Order 783), § 308-173-130, filed 10/5/88.] Decodedified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-841-990.	
308-173-210	Standards of practice and competencies of nursing assistants. [Statutory Authority: RCW 18.88.080. 90-20-018 (Order 091), § 308-173-210, filed 9/21/90, effective 10/22/90.] Decodedified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-841-400.	
	Purpose of review and approval of certified nursing assistant training programs. [Statutory Authority: RCW 18.88.080. 90-20-018 (Order 091), § 308-173-220, filed 9/21/90, effective 10/22/90.] Decodedified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-841-410.	
	Requirements for nursing assistant education and training program approval. [Statutory Authority: RCW 18.88.080. 90-20-018 (Order 091), § 308-173-230, filed 9/21/90, effective 10/22/90.] Decodedified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-841-420.	
	Denial of approval or withdrawal of approval for programs for which the board is the approving authority. [Statutory Authority: RCW 18.88.080. 90-20-018 (Order 091), § 308-173-240, filed 9/21/90, effective 10/22/90.] Decodedified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-841-430.	
	Reinstatement of approval. [Statutory Authority: RCW 18.88.080. 90-20-018 (Order 091), § 308-173-245, filed 9/21/90, effective 10/22/90.] Decodedified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-841-440.	
	Appeal of board decisions. [Statutory Authority: RCW 18.88.080. 90-20-018 (Order 091), § 308-173-250, filed 9/21/90, effective 10/22/90.] Decodedified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-841-450.	
	Closing of an approved nursing assistant training program. [Statutory Authority: RCW 18.88.080. 90-20-018 (Order 091), § 308-173-255, filed 9/21/90, effective 10/22/90.] Decodedified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-841-460.	
	Program directors and instructors in approved training programs. [Statutory Authority: RCW 18.88.080. 90-20-018 (Order 091), § 308-173-260, filed 9/21/90, effective 10/22/90.] Decodedified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-841-470.	
	Students (trainees) in approved training programs. [Statutory Authority: RCW 18.88.080. 90-20-018 (Order 091), § 308-173-265, filed 9/21/90, effective 10/22/90.] Decodedified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-841-480.	
	Core curriculum in approved training programs. [Statutory Authority: RCW 18.88.080. 90-20-018 (Order 091), § 308-173-270, filed 9/21/90, effective 10/22/90.] Decodedified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-841-490.	
	Physical resources for approved education programs. [Statutory Authority: RCW 18.88.080. 90-20-018 (Order 091), § 308-173-275, filed 9/21/90, effective 10/22/90.] Decodedified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-841-500.	
	Administrative procedures for approved nursing assistant training programs. [Statutory Authority: RCW 18.88.080. 90-20-018 (Order 091), § 308-173-280, filed 9/21/90, effective 10/22/90.] Decodedified by 91-07-049 (Order 116B), filed 3/18/91, effective 4/18/91. Statutory Authority: RCW 18.88A.060. Recodified as WAC 246-841-510.	
Chapter 308-175		
HEALTH CARE ASSISTANTS		
308-175-010	Delegation of functions to health care assistants. [Statutory Authority: RCW 18.135.030. 85-06-018 (Order PL 515), § 308-175-010, filed 2/25/85.] Decodedified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-020.	

308-175-020	Supervision of health care assistants. [Statutory Authority: RCW 18.135.030. 85-06-018 (Order PL 515), § 308-175-020, filed 2/25/85.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-030.		Authority: RCW 43.70.040. Recodified as WAC 246-826-150.
308-175-030	Certification of health care assistants. [Statutory Authority: RCW 18.135.030. 85-06-018 (Order PL 515), § 308-175-030, filed 2/25/85.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-040.	308-175-110	Category D minimum requirements. [Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-110, filed 11/12/87.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-160.
308-175-040	Recertification of health care assistants. [Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-040, filed 11/12/87; 85-06-018 (Order PL 515), § 308-175-040, filed 2/25/85.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-050.	308-175-115	Category E minimum requirements. [Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-115, filed 11/12/87.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-170.
308-175-050	Department of licensing responsibilities. [Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-050, filed 11/12/87; 85-06-018 (Order PL 515), § 308-175-050, filed 2/25/85.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-060.	308-175-120	Category F minimum requirements. [Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-120, filed 11/12/87.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-180.
308-175-060	Maintenance of listing of drugs and functions authorized. [Statutory Authority: RCW 18.135.030. 85-06-018 (Order PL 515), § 308-175-060, filed 2/25/85.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-070.	308-175-125	Grandfather clause. [Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-125, filed 11/12/87.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-190.
308-175-065	Medication and diagnostic agent list. [Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-065, filed 11/12/87.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-080.	308-175-130	Hospital or nursing home drug injection. [Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-130, filed 11/12/87.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-200.
308-175-070	Decertification or disciplinary actions. [Statutory Authority: RCW 18.135.030. 85-06-018 (Order PL 515), § 308-175-070, filed 2/25/85.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-090.	308-175-135	Intravenous medications flow restrictions. [Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-135, filed 11/12/87.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-210.
308-175-075	Health care assistant classification. [Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-075, filed 11/12/87.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-100.	308-175-140	Health care assistant fees. [Statutory Authority: RCW 43.70.250. 90-04-094 (Order 029), § 308-175-140, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-140, filed 11/12/87.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-990.
308-175-080	Minimum training and demonstrated proficiency of health care assistants. [Statutory Authority: RCW 18.135.030. 85-06-018 (Order PL 515), § 308-175-080, filed 2/25/85.] Repealed by 88-17-043 (Order PM 759), filed 8/15/88. Statutory Authority: RCW 18.135.040.	308-175-200	AIDS prevention and information education requirements—Health care assistants. [Statutory Authority: RCW 18.135.030. 90-14-131 (Order 069), § 308-175-200, filed 7/5/90, effective 8/5/90; 88-22-076 (Order PM 785), § 308-175-200, filed 11/2/88.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-230.
308-175-085	Qualified trainer. [Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-085, filed 11/12/87.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-110.		
308-175-090	Provision of health care assistants training. [Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-090, filed 11/12/87; 85-06-018 (Order PL 515), § 308-175-090, filed 2/25/85.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-120.	308-177-010	General provisions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-177-010, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-020.
308-175-095	Category A minimum requirements. [Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-095, filed 11/12/87.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-130.	308-177-020	Mandatory reporting. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-177-020, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-030.
308-175-100	Category B minimum requirements. [Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-100, filed 11/12/87.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-140.	308-177-030	Health care institutions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-177-030, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-040.
308-175-105	Category C minimum requirements. [Statutory Authority: RCW 18.135.030. 87-23-022 (Order PM 689), § 308-175-105, filed 11/12/87.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-826-150.	308-177-040	Dietitian or nutritionist associations or societies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-177-040, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-050.
		308-177-050	Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-177-050, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-060.
		308-177-060	Professional liability carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-

	177-060, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-070.		
308-177-070	Courts. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-177-070, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-822-080.	308-180-100	Acupuncture fees. [Statutory Authority: RCW 18.06.-160. 87-06-050 (Order PM 641), § 308-180-100, filed 3/4/87; 86-10-038 (Order PL 592), § 308-180-100, filed 5/5/86.] Repealed by 87-18-031 (Order PM 667), filed 8/27/87. Statutory Authority: RCW 43.24.086.
308-177-080	State and federal agencies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-177-080, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-090.	308-180-120	License renewal registration date and fee. [Statutory Authority: RCW 18.06.160. 90-11-093 (Order 051), § 308-180-120, filed 5/18/90, effective 6/18/90; 88-07-031 (Order PM 713), § 308-180-120, filed 3/9/88; 86-10-038 (Order PL 592), § 308-180-120, filed 5/5/86.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-822-020.
308-177-090	Cooperation with investigation. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-177-090, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-100.	308-180-130	Definitions. [Statutory Authority: RCW 18.06.160. 87-06-050 (Order PM 641), § 308-180-130, filed 3/4/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-802-010.
308-177-100	AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 88-22-077 (Order PM 786), § 308-177-100, filed 11/2/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-822-110.	308-180-140	Approval of school, program, apprenticeship or tutorial instruction. [Statutory Authority: RCW 18.06.160. 87-06-050 (Order PM 641), § 308-180-140, filed 3/4/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-802-030.
308-177-110	Dietitian and nutritionist fees. [Statutory Authority: RCW 43.70.250. 90-04-094 (Order 029), § 308-177-110, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 18.138.070. 89-17-071, § 308-177-110, filed 8/16/89, effective 9/16/89; 89-03-035 (Order PM 814), § 308-177-110, filed 1/11/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-990.	308-180-150	Western sciences. [Statutory Authority: RCW 18.06.-160. 90-12-114 (Order 052), § 308-180-150, filed 6/6/90, effective 7/7/90; 87-06-050 (Order PM 641), § 308-180-150, filed 3/4/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-040.
308-177-115	Definitions. [Statutory Authority: RCW 18.138.070. 89-17-071, § 308-177-115, filed 8/16/89, effective 9/16/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-010.	308-180-160	Acupuncture sciences. [Statutory Authority: RCW 18.06.160. 87-06-050 (Order PM 641), § 308-180-160, filed 3/4/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-050.
308-177-120	Application requirements. [Statutory Authority: RCW 18.138.070. 89-17-071, § 308-177-120, filed 8/16/89, effective 9/16/89; 89-03-035 (Order PM 814), § 308-177-120, filed 1/11/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-120.	308-180-170	Clinical training. [Statutory Authority: RCW 18.06.-160. 87-06-050 (Order PM 641), § 308-180-170, filed 3/4/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-060.
308-177-130	Nutritionist minimum core curriculum. [Statutory Authority: RCW 18.138.070. 89-17-071, § 308-177-130, filed 8/16/89, effective 9/16/89; 89-03-035 (Order PM 814), § 308-177-130, filed 1/11/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-130.	308-180-190	Documents in foreign language. [Statutory Authority: RCW 18.06.160. 87-06-050 (Order PM 641), § 308-180-190, filed 3/4/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-070.
308-177-140	Certification renewal registration date. [Statutory Authority: RCW 18.138.070. 89-03-035 (Order PM 814), § 308-177-140, filed 1/11/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-140.	308-180-200	Sufficiency of documents. [Statutory Authority: RCW 18.06.160. 87-06-050 (Order PM 641), § 308-180-200, filed 3/4/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-080.
308-177-150	Continuing Education. [Statutory Authority: RCW 18.138.070. 89-03-035 (Order PM 814), § 308-177-150, filed 1/11/89.] Repealed by 89-17-071, filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 18.138.-070.	308-180-210	Examinations. [Statutory Authority: RCW 18.06.160. 90-12-114 (Order 052), § 308-180-210, filed 6/6/90, effective 7/7/90; 88-07-031 (Order PM 713), § 308-180-210, filed 3/9/88; 87-06-050 (Order PM 641), § 308-180-210, filed 3/4/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-090.
308-177-160	Examinations. [Statutory Authority: RCW 18.138.070. 89-17-071, § 308-177-160, filed 8/16/89, effective 9/16/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-150.	308-180-220	Consultation plan. [Statutory Authority: RCW 18.06.160. 88-07-031 (Order PM 713), § 308-180-220, filed 3/9/88; 87-06-050 (Order PM 641), § 308-180-220, filed 3/4/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-100.
308-177-180	Foreign degree equivalency. [Statutory Authority: RCW 18.138.070. 89-17-071, § 308-177-180, filed 8/16/89, effective 9/16/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-160.	308-180-230	Referral to other health care practitioners. [Statutory Authority: RCW 18.06.160. 87-06-050 (Order PM 641), § 308-180-230, filed 3/4/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-110.
308-177-190	Certification for dietitians—Grandfathering. [Statutory Authority: RCW 18.138.070. 89-17-071, § 308-177-190, filed 8/16/89, effective 9/16/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-822-170.	308-180-240	Patient informed consent. [Statutory Authority: RCW 18.06.160. 87-06-050 (Order PM 641), § 308-180-240, filed 3/4/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-120.
		308-180-250	Application exhibits required. [Statutory Authority: RCW 18.06.160. 90-12-114 (Order 052), § 308-180-250, filed 6/6/90, effective 7/7/90; 88-07-031 (Order PM 713), § 308-180-250, filed 3/9/88; 87-06-050

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	(Order PM 641), § 308-180-250, filed 3/4/87.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-130.		
308-180-260	Acupuncture fees. [Statutory Authority: RCW 43.70-250. 90-18-039 (Order 084), § 308-180-260, filed 8/29/90, effective 9/29/90; 90-04-094 (Order 029), § 308-180-260, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086. 88-15-030 (Order PM 735), § 308-180-260, filed 7/13/88; 87-18-031 (Order PM 667), § 308-180-260, filed 8/27/87.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-990.	308-183-010	General provisions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-183-010, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-020.
308-180-270	Advertising. [Statutory Authority: RCW 18.06.160. 88-07-031 (Order PM 713), § 308-180-270, filed 3/9/88.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-140.	308-183-020	Mandatory reporting. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-183-020, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-030.
308-180-280	Examination appeal procedures. [Statutory Authority: RCW 18.06.160. 88-07-031 (Order PM 713), § 308-180-280, filed 3/9/88.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-150.	308-183-030	Health care institutions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-183-030, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-040.
308-180-290	General provisions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-180-290, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-160.	308-183-040	Radiological technologist associations or societies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-183-040, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-050.
308-180-300	Mandatory reporting. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-180-300, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-170.	308-183-050	Professional liability carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-183-050, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-060.
308-180-310	Health care institutions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-180-310, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-180.	308-183-060	Courts. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-183-060, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-070.
308-180-320	Acupuncture associations or societies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-180-320, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-190.	308-183-070	State and federal agencies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-183-070, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-080.
308-180-330	Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-180-330, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70-040. Recodified as WAC 246-802-200.	308-183-080	Cooperation with investigation. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-183-080, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-090.
308-180-340	Professional liability carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-180-340, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-210.	308-183-090	Definitions—Alternative training radiologic technologists. [Statutory Authority: RCW 18.84.040. 89-01-015 (Order PM 802), § 308-183-090, filed 12/9/88.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-100.
308-180-350	Courts. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-180-350, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70-040. Recodified as WAC 246-802-220.	308-183-100	Diagnostic radiologic technologist—Alternative training. [Statutory Authority: RCW 18.84.040. 89-01-015 (Order PM 802), § 308-183-100, filed 12/9/88.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-110.
308-180-360	State and federal agencies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-180-360, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-230.	308-183-110	Therapeutic radiologic technologist—Alternative training. [Statutory Authority: RCW 18.84.040. 89-01-015 (Order PM 802), § 308-183-110, filed 12/9/88.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-120.
308-180-370	Cooperation with investigation. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-180-370, filed 6/30/89.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-802-240.	308-183-120	Nuclear medicine technologist—Alternative training. [Statutory Authority: RCW 18.84.040. 89-01-015 (Order PM 802), § 308-183-120, filed 12/9/88.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-130.
308-180-400	AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 88-22-077 (Order PM 786), § 308-180-400, filed 11/2/88.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70-040. Recodified as WAC 246-802-250.	308-183-130	Approved schools. [Statutory Authority: RCW 18.84.040. 89-01-015 (Order PM 802), § 308-183-130, filed 12/9/88.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-140.
		308-183-140	Certification designation. [Statutory Authority: RCW 18.84.040. 89-01-015 (Order PM 802), § 308-183-140, filed 12/9/88.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-150.
		308-183-150	Certification renewal registration date. [Statutory Authority: RCW 18.84.040. 89-01-015 (Order PM 802), § 308-183-150, filed 12/9/88.] Decoded by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91.

	Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-160.		
308-183-160	Reinstatement fee assessment. [Statutory Authority: RCW 18.84.040. 89-01-015 (Order PM 802), § 308-183-160, filed 12/9/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-170.	308-190-070	filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-050.
308-183-170	Contrast media administration guidelines. [Statutory Authority: RCW 18.84.040. 89-01-015 (Order PM 802), § 308-183-170, filed 12/9/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-180.	308-190-080	Mandatory reporting. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-190-070, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-060.
308-183-180	Fees—Radiologic technologists. [Statutory Authority: RCW 18.84.040. 89-01-015 (Order PM 802), § 308-183-180, filed 12/9/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-990.	308-190-090	Health care institutions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-190-080, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-061.
308-183-190	State examination/examination waiver/examination application deadline. [Statutory Authority: RCW 18.84.040. 89-01-015 (Order PM 802), § 308-183-190, filed 12/9/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-190.	308-190-100	Counselor associations or societies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-190-090, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-062.
308-183-200	AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 88-22-077 (Order PM 786), § 308-183-200, filed 11/2/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-926-200.	308-190-110	Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-190-100, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-063.
Chapter 308-190 COUNSELORS		308-190-120	Professional liability carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-190-110, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-064.
308-190-010	Fees. [Statutory Authority: RCW 43.70.250. 90-18-039 (Order 084), § 308-190-010, filed 8/29/90, effective 9/29/90; 90-04-094 (Order 029), § 308-190-010, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086. 87-18-033 (Order PM 669), § 308-190-010, filed 8/27/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-990.	308-190-130	Courts. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-190-120, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-065.
308-190-020	Expiration of registration or certification. [Statutory Authority: 1987 c 512 § 10. 87-21-011 (Order PM 686), § 308-190-020, filed 10/9/87.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-020.	308-190-140	State and federal agencies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-190-130, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-066.
308-190-030	Definitions. [Statutory Authority: RCW 18.19.060. 89-14-070 (Order PM 840), § 308-190-030, filed 6/30/89. Statutory Authority: RCW 18.19.050. 88-11-024 (Order PM 728), § 308-190-030, filed 5/11/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-010.	308-190-200	Cooperation with investigation. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-190-140, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-070.
308-190-040	Client disclosure information. [Statutory Authority: RCW 18.19.060. 89-14-070 (Order PM 840), § 308-190-040, filed 6/30/89. Statutory Authority: RCW 18.19.050. 88-11-024 (Order PM 728), § 308-190-040, filed 5/11/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-030.		AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 88-22-077 (Order PM 786), § 308-190-200, filed 11/2/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-810-080.
308-190-041	Required disclosure information. [Statutory Authority: RCW 18.19.060. 89-14-070 (Order PM 840), § 308-190-041, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-031.	Chapter 308-195 RESPIRATORY CARE PRACTITIONERS	
308-190-042	Reporting of suspected abuse or neglect of a child, dependent adult, or a developmentally disabled person. [Statutory Authority: RCW 18.19.060. 89-14-070 (Order PM 840), § 308-190-042, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-040.	308-195-020	Recognized educational programs—Respiratory care practitioners. [Statutory Authority: RCW 18.89.050. 88-10-015 (Order 724), § 308-195-020, filed 4/27/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-928-020.
308-190-050	Failure to provide client disclosure information. [Statutory Authority: RCW 18.19.050. 88-11-024 (Order PM 728), § 308-190-050, filed 5/11/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-032.	308-195-030	State examination—Examination waiver—Examination application deadline. [Statutory Authority: RCW 18.89.050. 89-09-006 (Order PM 832), § 308-195-030, filed 4/7/89; 88-10-015 (Order 724), § 308-195-030, filed 4/27/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-030.
308-190-060	General provisions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-190-060,	308-195-040	Examination eligibility. [Statutory Authority: RCW 18.89.050. 88-10-015 (Order 724), § 308-195-040, filed 4/27/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-040.
		308-195-050	Definition of "commonly accepted standards for the profession." [Statutory Authority: RCW 18.89.050. 88-10-015 (Order 724), § 308-195-050, filed 4/27/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-928-050.
		308-195-060	Grandfather—Verification of practice. [Statutory Authority: RCW 18.89.050. 88-10-015 (Order 724), § 308-195-060, filed 4/27/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory

	Authority: RCW 43.70.040. Recodified as WAC 246-928-060.		filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-200.
308-195-070	Grandfather—Examination dates. [Statutory Authority: RCW 18.89.050. 88-23-001 (Order PM 787), § 308-195-070, filed 11/3/88; 88-10-015 (Order 724), § 308-195-070, filed 4/27/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-070.	308-195-220	Definitions—Alternative training respiratory care practitioners. [Statutory Authority: RCW 18.89.050. 89-09-006 (Order PM 832), § 308-195-220, filed 4/7/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-928-210.
308-195-080	Reciprocity—Requirements for certification. [Statutory Authority: RCW 18.89.050. 88-10-015 (Order 724), § 308-195-080, filed 4/27/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-080.	308-195-230	Alternative training requirements. [Statutory Authority: RCW 18.89.050. 89-09-006 (Order PM 832), § 308-195-230, filed 4/7/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-220.
308-195-090	Certification renewal registration date. [Statutory Authority: RCW 18.89.050. 88-10-015 (Order 724), § 308-195-090, filed 4/27/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-090.	Chapter 308-200 DEPARTMENT OF MOTOR VEHICLES ENVIRONMENTAL REGULATIONS	
308-195-100	Rural hospital exemption. [Statutory Authority: RCW 18.89.050. 88-10-015 (Order 724), § 308-195-100, filed 4/27/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-100.	308-200-010	Authority. [Order MV 382, § 308-200-010, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-010.
308-195-110	Fees. [Statutory Authority: RCW 43.24.086. 88-17-099 (Order PM 741), § 308-195-110, filed 8/23/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-990.	308-200-020	Purpose. [Order MV 382, § 308-200-020, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-020.
308-195-120	General provisions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-195-120, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-110.	308-200-025	Scope and coverage of this chapter. [Order MV 382, § 308-200-025, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-025.
308-195-130	Mandatory reporting. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-195-130, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-120.	308-200-030	Integration of SEPA procedures with other governmental operations. [Order MV 382, § 308-200-030, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-030.
308-195-140	Health care institutions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-195-140, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-130.	308-200-040	Definitions. [Order MV 382, § 308-200-040, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-040.
308-195-150	Respiratory care practitioner associations or societies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-195-150, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-140.	308-200-050	Use of the environmental checklist form. [Order MV 382, § 308-200-050, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-050.
308-195-160	Professional liability carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-195-160, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-150.	308-200-055	Timing of the EIS process. [Order MV 382, § 308-200-055, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-055.
308-195-170	Courts. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-195-170, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-928-160.	308-200-060	Scope of a proposal and its impacts for the purposes of lead agency determination, threshold determination, and EIS preparation. [Order MV 382, § 308-200-060, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-060.
308-195-180	State and federal agencies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-195-180, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-170.	308-200-100	Summary of information which may be required of a private applicant. [Order MV 382, § 308-200-100, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-100.
308-195-190	Cooperation with investigation. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-195-190, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-928-180.	308-200-150	Exemptions exclusive—CEP approval of changes in exemptions. [Order MV 382, § 308-200-150, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-150.
308-195-200	AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 88-22-077 (Order PM 786), § 308-195-200, filed 11/2/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-928-190.	308-200-160	No presumption of significance for nonexempt actions. [Order MV 382, § 308-200-160, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-160.
308-195-210	Temporary practice. [Statutory Authority: RCW 18.89.050. 89-09-006 (Order PM 832), § 308-195-210, filed 4/7/89.] Decodified by 91-02-049 (Order 121),	308-200-170	Categorical exemptions. [Order MV 382, § 308-200-170, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-170.
		308-200-175	Exemptions and nonexemptions applicable to the department. [Order MV 382, § 308-200-175, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-175.
		308-200-180	Exemptions for emergency actions. [Order MV 382, § 308-200-180, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority:

	RCW 43.21C.120. Later promulgation, see WAC 308-200A-180.		Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-305.
308-200-190	Use and effect of categorical exemptions. [Order MV 382, § 308-200-190, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-190.	308-200-310	Threshold determination procedures—Environmental checklist. [Order MV 382, § 308-200-310, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-310.
308-200-200	Lead agency—Responsibilities. [Order MV 382, § 308-200-200, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-200.	308-200-320	Threshold determination procedures—Initial review of environmental checklist. [Order MV 382, § 308-200-320, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-320.
308-200-203	Determination of lead agency—Procedures. [Order MV 382, § 308-200-203, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-203.	308-200-330	Threshold determination procedures—Information in addition to checklist. [Order MV 382, § 308-200-330, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-330.
308-200-205	Lead agency designation—Governmental proposals. [Order MV 382, § 308-200-205, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-205.	308-200-340	Threshold determination procedures—Negative declarations. [Order MV 382, § 308-200-340, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-340.
308-200-210	Lead agency designation—Proposals involving both private and public construction activity. [Order MV 382, § 308-200-210, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-210.	308-200-345	Assumption of lead agency status by another agency with jurisdiction over a proposal—Prerequisites, effect and form of notice. [Order MV 382, § 308-200-345, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-345.
308-200-215	Lead agency designation—Private projects for which there is only one agency with jurisdiction. [Order MV 382, § 308-200-215, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-215.	308-200-350	Affirmative threshold determination. [Order MV 382, § 308-200-350, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-350.
308-200-220	Lead agency designation—Private projects requiring licenses from more than one agency, when one of the agencies is a county/city. [Order MV 382, § 308-200-220, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-220.	308-200-355	Form of declaration of significance/nonsignificance. [Order MV 382, § 308-200-355, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-355.
308-200-225	Lead agency designation—Private projects requiring licenses from more than one state agency. [Order MV 382, § 308-200-225, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-225.	308-200-360	Threshold determination criteria—Application of environmental checklist. [Order MV 382, § 308-200-360, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-360.
308-200-230	Lead agency designation—Specific proposals. [Order MV 382, § 308-200-230, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-230.	308-200-365	Environmental checklist. [Order MV 382, § 308-200-365, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-365.
308-200-235	Local agency transfer of lead agency status to a state agency. [Order MV 382, § 308-200-235, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-235.	308-200-370	Withdrawal of affirmative threshold determination. [Order MV 382, § 308-200-370, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-370.
308-200-240	Agreements as to lead agency status. [Order MV 382, § 308-200-240, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-240.	308-200-375	Withdrawal of negative threshold determination. [Order MV 382, § 308-200-375, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-375.
308-200-245	Agreements between agencies as to division of lead agency duties. [Order MV 382, § 308-200-245, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-245.	308-200-390	Effect of threshold determination by lead agency. [Order MV 382, § 308-200-390, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-390.
308-200-260	Dispute as to lead agency determination—Resolution by CEP. [Order MV 382, § 308-200-260, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-260.	308-200-400	Duty to begin preparation of a draft EIS. [Order MV 382, § 308-200-400, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-400.
308-200-270	Assumption of lead agency status by another agency with jurisdiction. [Order MV 382, § 308-200-270, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-270.	308-200-405	Purpose and function of a draft EIS. [Order MV 382, § 308-200-405, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-405.
308-200-300	Threshold determination requirement. [Order MV 382, § 308-200-300, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-300.	308-200-410	Predraft consultation procedures. [Order MV 382, § 308-200-410, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-410.
308-200-305	Recommended timing for threshold determination. [Order MV 382, § 308-200-305, filed 8/13/76.]		

308-200-420	Preparation of EIS by persons outside the lead agency. [Order MV 382, § 308-200-420, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-420.		
308-200-425	Organization and style of a draft EIS. [Order MV 382, § 308-200-425, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-425.	308-200-520	Responsibilities of consulted agencies—State agencies with environmental expertise. [Order MV 382, § 308-200-520, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-520.
308-200-440	Contents of a draft EIS. [Order MV 382, § 308-200-440, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-440.	308-200-530	Responsibilities of consulted agencies—When predraft consultation has occurred. [Order MV 382, § 308-200-530, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-530.
308-200-442	Special considerations regarding contents of an EIS on a nonproject action. [Order MV 382, § 308-200-442, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-442.	308-200-535	Cost of performance of consulted agency responsibilities. [Order MV 382, § 308-200-535, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-535.
308-200-444	List of elements of the environment. [Order MV 382, § 308-200-444, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-444.	308-200-540	Limitations on responses to consultation. [Order MV 382, § 308-200-540, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-540.
308-200-446	Draft EIS—Optional additional elements—Limitation. [Order MV 382, § 308-200-446, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-446.	308-200-545	Effect of no written comment. [Order MV 382, § 308-200-545, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-545.
308-200-450	Public awareness of availability of draft EIS. [Order MV 382, § 308-200-450, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-450.	308-200-550	Preparation of the final EIS—Time period allowed. [Order MV 382, § 308-200-550, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-550.
308-200-455	Circulation of the draft EIS—Review period. [Order MV 382, § 308-200-455, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-455.	308-200-570	Preparation of the final EIS—Contents—When no critical comments received on the draft EIS. [Order MV 382, § 308-200-570, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-570.
308-200-460	Specific agencies to which draft EIS shall be sent. [Order MV 382, § 308-200-460, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-460.	308-200-580	Preparation of the final EIS—Contents—When critical comments received on the draft EIS. [Order MV 382, § 308-200-580, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-580.
308-200-465	Agencies possessing environmental expertise. [Order MV 382, § 308-200-465, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-465.	308-200-600	Circulation of the final EIS. [Order MV 382, § 308-200-600, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-600.
308-200-470	Cost to the public for reproduction of environmental documents. [Order MV 382, § 308-200-470, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-470.	308-200-650	Effect of an adequate final EIS prepared pursuant to NEPA. [Order MV 382, § 308-200-650, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-650.
308-200-480	Public hearing on a proposal—When required. [Order MV 382, § 308-200-480, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-480.	308-200-652	Supplementation by a lead agency of an inadequate final NEPA EIS. [Order MV 382, § 308-200-652, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-652.
308-200-485	Notice of public hearing on environmental impact of the proposal. [Order MV 382, § 308-200-485, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-485.	308-200-660	Use of previously prepared EIS for a different proposed action. [Order MV 382, § 308-200-660, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-660.
308-200-490	Public hearing on the proposal—Use of environmental documents. [Order MV 382, § 308-200-490, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-490.	308-200-690	Use of lead agency's EIS by other acting agencies for the same proposal. [Order MV 382, § 308-200-690, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-690.
308-200-495	Preparation of amended or new draft EIS. [Order MV 382, § 308-200-495, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-495.	308-200-695	Draft and final supplements to a revised EIS. [Order MV 382, § 308-200-695, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-695.
308-200-500	Responsibilities of consulted agencies—Local agencies. [Order MV 382, § 308-200-500, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-500.	308-200-700	No action for seven days after publication of the final EIS. [Order MV 382, § 308-200-700, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-700.
308-200-510	Responsibilities of consulted agencies—State agencies with jurisdiction. [Order MV 382, § 308-200-510, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL),	308-200-710	EIS combined with existing planning and review processes. [Order MV 382, § 308-200-710, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78.

- Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-710.
- 308-200-820 Designation of responsible official. [Order MV 382, § 308-200-820, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-820.
- 308-200-830 SEPA public information center. [Order MV 382, § 308-200-830, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120.
- 308-200-835 Regional SEPA information centers. [Order MV 382, § 308-200-835, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120.
- 308-200-840 Application of agency rules to ongoing actions. [Order MV 382, § 308-200-840, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-840.
- 308-200-860 Fees to cover the costs of SEPA compliance. [Order MV 382, § 308-200-860, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-860.
- 308-200-900 Applicability of this chapter. [Order MV 382, § 308-200-900, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-900.
- 308-200-910 Severability. [Order MV 382, § 308-200-910, filed 8/13/76.] Repealed by 78-09-002 (Order 500-DOL), filed 8/3/78. Statutory Authority: RCW 43.21C.120. Later promulgation, see WAC 308-200A-910.

Chapter 308-210

MENTAL HEALTH COUNSELORS

- 308-210-010 Definitions. [Statutory Authority: RCW 18.19.120. 89-14-071 (Order PM 841), § 308-210-010, filed 6/30/89. Statutory Authority: RCW 18.19.050. 88-11-025 (Order PM 730), § 308-210-010, filed 5/11/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-510.
- 308-210-020 Approved schools. [Statutory Authority: RCW 18.19.050. 88-11-025 (Order PM 730), § 308-210-020, filed 5/11/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-520.
- 308-210-030 Examination waiver eligibility. [Statutory Authority: RCW 18.19.120. 89-14-071 (Order PM 841), § 308-210-030, filed 6/30/89. Statutory Authority: RCW 18.19.050. 88-11-025 (Order PM 730), § 308-210-030, filed 5/11/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-542.
- 308-210-040 Examination for certified mental health counselors. [Statutory Authority: RCW 18.19.120. 89-14-071 (Order PM 841), § 308-210-040, filed 6/30/89. Statutory Authority: RCW 18.19.050. 88-11-025 (Order PM 730), § 308-210-040, filed 5/11/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-540.
- 308-210-045 Mental health counselors—Professional experience requirement prior to examination for certification. [Statutory Authority: RCW 18.19.120. 89-14-071 (Order PM 841), § 308-210-045, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-530.
- 308-210-046 Applicants with graduate degree by January 26, 1989. [Statutory Authority: RCW 18.19.120. 89-14-071 (Order PM 841), § 308-210-046, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-541.
- 308-210-050 Mental health counselors—Education requirement prior to examination for certification. [Statutory Authority: RCW 18.19.120. 89-14-071 (Order PM 841), § 308-210-050, filed 6/30/89. Statutory Authority: RCW 18.19.050. 88-11-025 (Order PM 730), § 308-210-050, filed 5/11/88.] Decodified by 91-02-049 (Order 121),

- filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-521.
- 308-210-060 National certification equivalent to Washington state certification. [Statutory Authority: RCW 18.19.050. 88-11-025 (Order PM 730), § 308-210-060, filed 5/11/88.] Repealed by 89-14-071 (Order PM 841), filed 6/30/89. Statutory Authority: RCW 18.19.120.
- 308-210-080 General provisions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-210-080, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-550.
- 308-210-090 Mandatory reporting. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-210-090, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-560.
- 308-210-100 Health care institutions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-210-100, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-561.
- 308-210-110 Mental health counselor associations or societies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-210-110, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-562.
- 308-210-120 Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-210-120, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-563.
- 308-210-130 Professional liability carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-210-130, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-564.
- 308-210-140 Courts. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-210-140, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-565.
- 308-210-150 State and federal agencies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-210-150, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-566.
- 308-210-160 Cooperation with investigation. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-210-160, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-570.
- 308-210-200 AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 88-22-077 (Order PM 786), § 308-210-200, filed 11/2/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-580.

Chapter 308-220

MARRIAGE AND FAMILY THERAPISTS

- 308-220-010 Definitions. [Statutory Authority: RCW 18.19.050. 89-04-003 (Order PM 817), § 308-220-010, filed 1/19/89; 88-11-079 (Order PM 729), § 308-220-010, filed 5/18/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-310.
- 308-220-020 Examination. [Statutory Authority: RCW 18.19.050. 88-11-079 (Order PM 729), § 308-220-020, filed 5/18/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-340.
- 308-220-030 Degree equivalents. [Statutory Authority: RCW 18.19.050. 89-04-003 (Order PM 817), § 308-220-030, filed 1/19/89; 88-11-079 (Order PM 729), § 308-220-030, filed 5/18/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-320.

308-220-040	Program equivalency. [Statutory Authority: RCW 18.19.050. 88-11-079 (Order PM 729), § 308-220-040, filed 5/18/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-321.	308-230-020	Examination required. [Statutory Authority: RCW 18.19.050. 88-11-078 (Order PM 727), § 308-230-020, filed 5/18/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-740.
308-220-050	Supervision. [Statutory Authority: RCW 18.19.050. 88-11-079 (Order PM 729), § 308-220-050, filed 5/18/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-330.	308-230-030	Education and supervision equivalency. [Statutory Authority: RCW 18.19.050. 88-11-078 (Order PM 727), § 308-230-030, filed 5/18/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-731.
308-220-060	Supervisor qualifications. [Statutory Authority: RCW 18.19.050. 88-11-079 (Order PM 729), § 308-220-060, filed 5/18/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-331.	308-230-040	Supervision requirements. [Statutory Authority: RCW 18.19.050. 88-11-078 (Order PM 727), § 308-230-040, filed 5/18/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-730.
308-220-070	Supervised postgraduate practice. [Statutory Authority: RCW 18.19.050. 88-11-079 (Order PM 729), § 308-220-070, filed 5/18/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-332.	308-230-050	Certification of persons credentialed out-of-state. [Statutory Authority: RCW 18.19.050. 88-11-078 (Order PM 727), § 308-230-050, filed 5/18/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-741.
308-220-090	General provisions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-220-090, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-350.	308-230-060	General provisions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-230-060, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-750.
308-220-100	Mandatory reporting. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-220-100, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-360.	308-230-070	Mandatory reporting. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-230-070, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-760.
308-220-110	Health care institutions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-220-110, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-361.	308-230-080	Health care institutions. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-230-080, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-761.
308-220-120	Marriage and family therapist associations or societies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-220-120, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-362.	308-230-090	Social worker associations or societies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-230-090, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-762.
308-220-130	Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-220-130, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-810-363.	308-230-100	Health care service contractors and disability insurance carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-230-100, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-810-763.
308-220-140	Professional liability carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-220-140, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-364.	308-230-110	Professional liability carriers. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-230-110, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-764.
308-220-150	Courts. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-220-150, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-810-365.	308-230-120	Courts. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-230-120, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-810-765.
308-220-160	State and federal agencies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-220-160, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-366.	308-230-130	State and federal agencies. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-230-130, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-766.
308-220-170	Cooperation with investigation. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-220-170, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-370.	308-230-140	Cooperation with investigation. [Statutory Authority: RCW 18.130.070. 89-14-092 (Order PM 842), § 308-230-140, filed 6/30/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-770.
308-220-200	AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 88-22-077 (Order PM 786), § 308-220-200, filed 11/2/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-810-380.	308-230-200	AIDS prevention and information education requirements. [Statutory Authority: RCW 70.24.270. 88-22-077 (Order PM 786), § 308-230-200, filed 11/2/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.-040. Recodified as WAC 246-810-780.

Chapter 308-230 SOCIAL WORKERS

308-230-010	Accredited programs. [Statutory Authority: RCW 18.19.050. 88-11-078 (Order PM 727), § 308-230-010, filed 5/18/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-810-720.
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Chapter 308-250 TRIPLICATE PRESCRIPTION FORM PROGRAM

308-250-010	Scope and purpose of chapter. [Statutory Authority: RCW 69.50.311. 86-10-036 (Order 197), § 308-250-010, filed 5/5/86.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory
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- Authority: RCW 43.70.040. Recodified as WAC 246-800-101.
- 308-250-020 Official triplicate prescription forms. [Statutory Authority: RCW 69.50.311. 86-10-036 (Order 197), § 308-250-020, filed 5/5/86.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-800-120.
- 308-250-030 Distribution and retention of the triplicate prescription forms. [Statutory Authority: RCW 69.50.311. 86-10-036 (Order 197), § 308-250-030, filed 5/5/86.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-800-130.
- 308-250-040 Drugs administered or dispensed by the health care practitioner. [Statutory Authority: RCW 69.50.311. 86-10-036 (Order 197), § 308-250-040, filed 5/5/86.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-800-140.
- 308-250-050 Emergency prescriptions. [Statutory Authority: RCW 69.50.311. 86-10-036 (Order 197), § 308-250-050, filed 5/5/86.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-800-150.

Chapter 308-310
NURSING POOL FEES

- 308-310-010 Nursing pool fees. [Statutory Authority: RCW 43.70.250. 90-04-094 (Order 029), § 308-310-010, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086. 88-20-076 (Order 784), § 308-310-010, filed 10/5/88.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-845-990.
- 308-310-020 Registration of a nursing pool. [Statutory Authority: RCW 18.52.030. 89-05-019 (Order PM 794), § 308-310-020, filed 2/10/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-845-020.
- 308-310-030 Renewal of registration. [Statutory Authority: RCW 18.52.030. 89-05-019 (Order PM 794), § 308-310-030, filed 2/10/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-845-030.
- 308-310-040 Denial, suspension, or revocation of registration. [Statutory Authority: RCW 18.52.030. 89-05-019 (Order PM 794), § 308-310-040, filed 2/10/89.] Decodified by 91-02-049 (Order 121), filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.040. Recodified as WAC 246-845-040.

Chapter 308-400
STANDARDIZED FILING FORMS AND PROCEDURES—
UNIFORM COMMERCIAL CODE, CROP LIENS, AND
PROCESSOR AND PREPARER LIENS FOR AGRICULTURAL
DAIRY AND COMMERCIAL FISH PRODUCTS AND CERTAIN
FEDERAL LIENS

- 308-400-010 Authority and purpose. [Statutory Authority: RCW 62A.9-409(1), 60.11.040(3), 60.13.040 (2)(f), 60.68.035(2) and 34.05.220. 89-24-022, § 308-400-010, filed 11/30/89, effective 12/31/89. Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73. 89-06-078 (Order BLS 130), § 308-400-010, filed 3/1/89. Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS 105), § 308-400-010, filed 12/2/86, effective 1/1/87. Statutory Authority: RCW 62A.9-409(1). 82-05-014 (Order 659-DOL), § 308-400-010, filed 2/9/82. Formerly WAC 434-16-010.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
- 308-400-020 Applicable statutes. [Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73. 89-06-078 (Order BLS 130), § 308-400-020, filed 3/1/89. Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS 105), § 308-400-020, filed 12/2/86, effective 1/1/87. Statutory Authority: RCW 62A.9-409(1). 82-05-014 (Order 659-DOL), § 308-400-020, filed 2/9/82. Formerly WAC 434-16-020.] Repealed by 01-10-056, filed

- 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
- 308-400-025 Filing of crop liens and processor and preparer liens for agricultural, dairy and commercial fish products. [Statutory Authority: RCW 62A.9-409(1), 60.11.040(3), 60.13.040 (2)(f), 60.68.035(2) and 34.05.220. 89-24-022, § 308-400-025, filed 11/30/89, effective 12/31/89. Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73. 89-06-078 (Order BLS 130), § 308-400-025, filed 3/1/89. Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS 105), § 308-400-025, filed 12/2/86, effective 1/1/87.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
- 308-400-030 Definitions. [Statutory Authority: Chapters 62A.9, 60.11, 60.13 and 60.68 RCW. 00-02-013, § 308-400-030, filed 12/27/99, effective 2/1/00; 99-06-003, § 308-400-030, filed 2/18/99, effective 4/1/99. Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73. 89-06-078 (Order BLS 130), § 308-400-030, filed 3/1/89. Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS 105), § 308-400-030, filed 12/2/86, effective 1/1/87. Statutory Authority: RCW 62A.9-409(1). 82-05-014 (Order 659-DOL), § 308-400-030, filed 2/9/82. Formerly WAC 434-16-030.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
- 308-400-040 UCC-1 financing statement. [Statutory Authority: RCW 62A.9-409(1), 60.11.040(3), 60.13.040 (2)(f), 60.68.035(2) and 34.05.220. 89-24-022, § 308-400-040, filed 11/30/89, effective 12/31/89. Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73. 89-06-078 (Order BLS 130), § 308-400-040, filed 3/1/89. Statutory Authority: RCW 62A.9-409(1). 82-13-030 (Order 674-DOL), § 308-400-040, filed 6/9/82; 82-05-014 (Order 659-DOL), § 308-400-040, filed 2/9/82, effective 7/1/82.] Repealed by 93-01-061, filed 12/11/92, effective 7/1/93. Statutory Authority: RCW 43.24.086, 62A.9-409, 60.11.040, 60.13.040 and 60.68.035.
- 308-400-042 UCC-2 fixture filing form. [Statutory Authority: RCW 62A.9-409(1) and 36.18.010. 90-04-050, § 308-400-042, filed 2/1/90, effective 3/4/90. Statutory Authority: RCW 62A.9-409(1). 82-08-021 (Order 669-DOL), § 308-400-042, filed 3/30/82, effective 7/1/82.] Repealed by 93-01-061, filed 12/11/92, effective 7/1/93. Statutory Authority: RCW 43.24.086, 62A.9-409, 60.11.040, 60.13.040 and 60.68.035.
- 308-400-044 UCC-1X financing statement to continue a county filing at the department of licensing. [Statutory Authority: RCW 62A.9-409(1). 82-05-014 (Order 659-DOL), § 308-400-044, filed 2/9/82, effective 7/1/82.] Repealed by 89-06-078 (Order BLS 130), filed 3/1/89. Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73.
- 308-400-046 UCC-3 change statement. [Statutory Authority: RCW 62A.9-409(1), 60.11.040(3), 60.13.040 (2)(f), 60.68.035(2) and 34.05.220. 89-24-022, § 308-400-046, filed 11/30/89, effective 12/31/89. Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73. 89-06-078 (Order BLS 130), § 308-400-046, filed 3/1/89. Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS 105), § 308-400-046, filed 12/2/86, effective 1/1/87. Statutory Authority: RCW 62A.9-409(1). 82-05-014 (Order 659-DOL), § 308-400-046, filed 2/9/82, effective 7/1/82.] Repealed by 93-01-061, filed 12/11/92, effective 7/1/93. Statutory Authority: RCW 43.24.086, 62A.9-409, 60.11.040, 60.13.040 and 60.68.035.
- 308-400-047 UCC-4 crop liens and processor and preparer liens for agricultural dairy and commercial fish products filing form. [Statutory Authority: RCW 62A.9-409(1), 60.11.040(3), 60.13.040 (2)(f), 60.68.035(2) and 34.05.220. 89-24-022, § 308-400-047, filed 11/30/89, effective 12/31/89. Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73. 89-06-078 (Order BLS 130), § 308-400-047, filed 3/1/89. Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS

	105), § 308-400-047, filed 12/2/86, effective 1/1/87.] Repealed by 93-01-061, filed 12/11/92, effective 7/1/93. Statutory Authority: RCW 43.24.086, 62A.9-409, 60.11.040, 60.13.040 and 60.68.035.		12/2/86, effective 1/1/87. Statutory Authority: RCW 62A.9-409(1), 82-13-030 (Order 674-DOL), § 308-400-058, filed 6/9/82.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
308-400-048	UCC-11R request for certificate of information. [Statutory Authority: RCW 62A.9-409(1), 60.11.040(3), 60.13.040 (2)(f), 60.68.035(2) and 34.05.220. 89-24-022, § 308-400-048, filed 11/30/89, effective 12/31/89. Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73. 89-06-078 (Order BLS 130), § 308-400-048, filed 3/1/89. Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS 105), § 308-400-048, filed 12/2/86, effective 1/1/87. Statutory Authority: RCW 62A.9-409(1), 82-13-030 (Order 674-DOL), § 308-400-048, filed 6/9/82; 82-05-014 (Order 659-DOL), § 308-400-048, filed 2/9/82, effective 7/1/82.] Repealed by 93-01-061, filed 12/11/92, effective 7/1/93. Statutory Authority: RCW 43.24.086, 62A.9-409, 60.11.040, 60.13.040 and 60.68.035.	308-400-059	Termination statement, statement of discharge lien termination statement and certificate of release. [Statutory Authority: Chapters 62A.9, 60.11, 60.13, and 60.68 RCW. 99-06-003, § 308-400-059, filed 2/18/99, effective 4/1/99. Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73. 89-06-078 (Order BLS 130), § 308-400-059, filed 3/1/89. Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS 105), § 308-400-059, filed 12/2/86, effective 1/1/87.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
308-400-050	Official approval of standard forms. [Statutory Authority: RCW 43.24.086, 62A.9-409, 60.11.040, 60.13.040 and 60.68.035. 93-01-061, § 308-400-050, filed 12/11/92, effective 7/1/93. Statutory Authority: RCW 62A.9-409(1), 60.11.040(3), 60.13.040 (2)(f), 60.68.035(2) and 34.05.220. 89-24-022, § 308-400-050, filed 11/30/89, effective 12/31/89. Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73. 89-06-078 (Order BLS 130), § 308-400-050, filed 3/1/89. Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS 105), § 308-400-050, filed 12/2/86, effective 1/1/87. Statutory Authority: RCW 62A.9-409(1), 82-05-014 (Order 659-DOL), § 308-400-050, filed 2/9/82. Formerly WAC 434-16-050.] Repealed by 99-06-003, filed 2/18/99, effective 4/1/99. Statutory Authority: Chapters 62A.9, 60.11, 60.13, and 60.68 RCW.	308-400-060	Rejection of documents. [Statutory Authority: RCW 62A.9-409(1), 82-13-030 (Order 674-DOL), § 308-400-060, filed 6/9/82; 82-05-014 (Order 659-DOL), § 308-400-060, filed 2/9/82. Formerly WAC 434-16-060.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
		308-400-062	Incompatible actions. [Statutory Authority: Chapters 62A.9, 60.11, 60.13, and 60.68 RCW. 99-06-003, § 308-400-062, filed 2/18/99, effective 4/1/99. Statutory Authority: RCW 62A.9-409(1), 82-13-030 (Order 674-DOL), § 308-400-062, filed 6/9/82.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
308-400-052	Standard form. [Statutory Authority: RCW 62A.9-409(1), 60.11.040(3), 60.13.040 (2)(f), 60.68.035(2) and 34.05.220. 89-24-022, § 308-400-052, filed 11/30/89, effective 12/31/89. Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73. 89-06-078 (Order BLS 130), § 308-400-052, filed 3/1/89. Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS 105), § 308-400-052, filed 12/2/86, effective 1/1/87. Statutory Authority: RCW 62A.9-409(1), 82-13-030 (Order 674-DOL), § 308-400-052, filed 6/9/82.] Repealed by 93-01-061, filed 12/11/92, effective 7/1/93. Statutory Authority: RCW 43.24.086, 62A.9-409, 60.11.040, 60.13.040 and 60.68.035.	308-400-070	Request for certificate of information. [Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS 105), § 308-400-070, filed 12/2/86, effective 1/1/87. Statutory Authority: RCW 62A.9-409(1), 82-13-030 (Order 674-DOL), § 308-400-070, filed 6/9/82; 82-05-014 (Order 659-DOL), § 308-400-070, filed 2/9/82. Formerly WAC 434-16-080.] Repealed by 99-06-003, filed 2/18/99, effective 4/1/99. Statutory Authority: Chapters 62A.9, 60.11, 60.13, and 60.68 RCW.
		308-400-080	Delegation of certification authority. [Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS 105), § 308-400-080, filed 12/2/86, effective 1/1/87. Statutory Authority: RCW 62A.9-409(1), 82-05-014 (Order 659-DOL), § 308-400-080, filed 2/9/82.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
308-400-053	Acceptance of documents for filing. [Statutory Authority: Chapters 62A.9, 60.11, 60.13, and 60.68 RCW. 99-06-003, § 308-400-053, filed 2/18/99, effective 4/1/99. Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS 105), § 308-400-053, filed 12/2/86, effective 1/1/87.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.	308-400-090	Amendment fees. [Statutory Authority: RCW 62A.9-409(1), 82-05-014 (Order 659-DOL), § 308-400-090, filed 2/9/82. Formerly WAC 434-16-090.] Repealed by 82-13-030 (Order 674-DOL), filed 6/9/82. Statutory Authority: RCW 62A.9-409(1).
		308-400-092	Overpayment of fees. [Statutory Authority: RCW 62A.9-409(1), 82-13-030 (Order 674-DOL), § 308-400-092, filed 6/9/82.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
308-400-054	Power of attorney. [Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS 105), § 308-400-054, filed 12/2/86, effective 1/1/87. Statutory Authority: RCW 62A.9-409(1), 82-13-030 (Order 674-DOL), § 308-400-054, filed 6/9/82.] Repealed by 99-06-003, filed 2/18/99, effective 4/1/99. Statutory Authority: Chapters 62A.9, 60.11, 60.13, and 60.68 RCW.	308-400-095	Fees. [Statutory Authority: Chapters 62A.9, 60.11, 60.13 and 60.68 RCW. 00-02-013, § 308-400-095, filed 12/27/99, effective 2/1/00; 99-22-040, § 308-400-095, filed 10/29/99, effective 12/1/99; 99-06-003, § 308-400-095, filed 2/18/99, effective 4/1/99. Statutory Authority: RCW 43.24.086, 62A.9-409, 60.11.040, 60.13.040 and 60.68.035. 93-01-061, § 308-400-095, filed 12/11/92, effective 7/1/93. Statutory Authority: RCW 62A.9-409(1) and 36.18.010. 90-04-050, § 308-400-095, filed 2/1/90, effective 3/4/90. Statutory Authority: RCW 62A.9-409(1), 60.11.040(3), 60.13.040 (2)(f), 60.68.035(2) and 34.05.220. 89-24-022, § 308-400-095, filed 11/30/89, effective 12/31/89. Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73. 89-06-078 (Order BLS 130), § 308-400-095, filed 3/1/89. Statutory Authority: RCW 60.11.040, 62A.9-409 as amended by 1987 c 189 § 6, RCW 60.13.040 as amended by 1987 c 189 § 7 and 1987 c 148 § 3. 87-16-059 (Order BLS 115), § 308-400-095, filed 7/30/87.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
308-400-056	Return of acknowledgment. [Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS 105), § 308-400-056, filed 12/2/86, effective 1/1/87. Statutory Authority: RCW 62A.9-409(1), 82-13-030 (Order 674-DOL), § 308-400-056, filed 6/9/82.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.		
308-400-058	Signature requirements. [Statutory Authority: Chapters 62A.9, 60.11, 60.13, and 60.68 RCW. 99-06-003, § 308-400-058, filed 2/18/99, effective 4/1/99. Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73. 89-06-078 (Order BLS 130), § 308-400-058, filed 3/1/89. Statutory Authority: RCW 62A.9-408(1) and 60.11.040(3). 86-24-055 (Order BLS 105), § 308-400-058, filed		

- 308-400-100 Fees, forms and procedures—Filing processor and preparer liens for agricultural, dairy, or commercial fish products. [Statutory Authority: RCW 62A.9-409(1), 60.11.040(3), 60.13.040 (2)(f), 60.68.035(2) and 34.05.220. 89-24-022, § 308-400-100, filed 11/30/89, effective 12/31/89. Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73. 89-06-078 (Order BLS 130), § 308-400-100, filed 3/1/89. Statutory Authority: RCW 60.11.040, 62A.9-409 as amended by 1987 c 189 § 6, 60.13.040 as amended by 1987 c 189 § 7 and 1987 c 148 § 3. 87-16-059 (Order BLS 115), § 308-400-100, filed 7/30/87.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
- 308-400-110 Forms, fees and procedures—Filing crop liens. [Statutory Authority: RCW 60.11.040, 62A.9-409 as amended by 1987 c 189 § 6, RCW 60.13.040 as amended by 1987 c 189 § 7 and 1987 c 148 § 3. 87-16-059 (Order BLS 115), § 308-400-110, filed 7/30/87.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
- 308-400-120 Forms, fees, and procedures—Filing federal liens. [Statutory Authority: Chapters 62A.9, 60.11, 60.13, and 60.68 RCW. 99-06-003, § 308-400-120, filed 2/18/99, effective 4/1/99. Statutory Authority: RCW 62A.9-409, 60.11.040, 60.13.040 and chapter 60.68 RCW as amended by 1988 c 73. 89-06-078 (Order BLS 130), § 308-400-120, filed 3/1/89.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.

Reviser's note: Later promulgation, see chapter 308-390 WAC.

Chapter 308-410 UNIFORM COMMERCIAL CODE FIELD ACCESS

- 308-410-010 Purpose and authority. [Statutory Authority: RCW 62A.9-409, 60.11.040(3) and 60.13.040, as amended by 1987 c 189 § 7. 88-03-037 (Order BLS 115), § 308-410-010, filed 1/19/88.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
- 308-410-020 Definitions. [Statutory Authority: RCW 62A.9-409, 60.11.040(3) and 60.13.040, as amended by 1987 c 189 § 7. 88-03-037 (Order BLS 115), § 308-410-020, filed 1/19/88.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
- 308-410-030 Filing information available for review. [Statutory Authority: RCW 62A.9-409, 60.11.040(3) and 60.13.040, as amended by 1987 c 189 § 7. 88-03-037 (Order BLS 115), § 308-410-030, filed 1/19/88.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
- 308-410-040 Application to become a user. [Statutory Authority: RCW 62A.9-409, 60.11.040(3) and 60.13.040, as amended by 1987 c 189 § 7. 88-03-037 (Order BLS 115), § 308-410-040, filed 1/19/88.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
- 308-410-050 Standard for allocating users. [Statutory Authority: RCW 62A.9-409, 60.11.040(3) and 60.13.040, as amended by 1987 c 189 § 7. 88-03-037 (Order BLS 115), § 308-410-050, filed 1/19/88.] Repealed by 99-06-003, filed 2/18/99, effective 4/1/99. Statutory Authority: Chapters 62A.9, 60.11, 60.13, and 60.68 RCW.
- 308-410-060 Contract for use. [Statutory Authority: RCW 62A.9-409, 60.11.040(3) and 60.13.040, as amended by 1987 c 189 § 7. 88-03-037 (Order BLS 115), § 308-410-060, filed 1/19/88.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.
- 308-410-070 Fees. [Statutory Authority: Chapters 62A.9, 60.11, 60.13, and 60.68 RCW. 99-06-003, § 308-410-070, filed 2/18/99, effective 4/1/99. Statutory Authority: RCW 62A.9-409, 60.11.040(3) and 60.13.040, as amended by 1987 c 189 § 7. 88-03-037 (Order BLS 115), § 308-410-070, filed 1/19/88.] Repealed by 01-10-056, filed 4/27/01, effective 7/1/01. Statutory Authority: Chapters 62A.9, 60.11, 60.13, 60.68, and 62A.9A RCW.

Reviser's note: Later promulgation, see chapter 308-390 WAC.

Chapter 308-04 WAC GENERAL PROVISIONS

WAC

- 308-04-010 Requirements for checks in payment of licenses, certificates, etc.—Penalty.
- 308-04-020 Handling fee for dishonored checks in payment of vehicle or vessel licenses and certificates of ownership.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 308-04-001 Appointment of director—Agency documents. [Statutory Authority: RCW 43.17.060. 85-22-080 (Order 85-2), § 308-04-001, filed 11/6/85. Statutory Authority: RCW 43.17.060, 43.24.040 and 46.01.160. 81-07-045 (Order DOL 622), § 308-04-001, filed 3/16/81.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.

WAC 308-04-010 Requirements for checks in payment of licenses, certificates, etc.—Penalty. (1) All checks must be made payable to the state treasurer or department of licensing, except those checks written in payment for transactions through the department's vehicle and vessel licensing agents may be made payable to the county auditor.

(2) State warrants equal to or less than the amount of license fees due shall be accepted when tendered for payment of a department of licensing transaction. If the warrant is less than the amount due, the applicant shall pay the difference by cash, check, or money order.

(3) Checks should be written for the exact amount due and the purpose for which the check is intended should be noted on its face. Overpayments for vehicle transactions will not be accepted.

(4) The drawer's name (licensee) and address should appear upon each check. All dishonored (DHC) checks will be redeposited once. If they fail to clear at the time of the second deposit, the following action will be taken:

(a) The drawer (licensee) will be sent a letter advising him or her that the license or other transaction for which the DHC had been submitted will be canceled unless a money order, cash, or cashier's check for the full amount due, including the handling fee, is received within fifteen days of the date of this letter.

(b) The failure to pay a license fee or tax due after notice of dishonor has been given will result in cancellation of any service, license, permit, or registration provided.

(5) Checks written on foreign banks and foreign postal money orders (outside of the United States) shall be payable in U.S. dollars.

[Statutory Authority: RCW 46.01.110 and 43.24.023. 99-01-104, § 308-04-010, filed 12/17/98, effective 1/17/99. Statutory Authority: RCW 46.01.230. 86-08-069 (Order 86-1), § 308-04-010, filed 4/1/86; 80-13-002 (Order DOL 592), § 308-04-010, filed 9/4/80; 78-04-040 (Order 487-DOL), § 308-04-010, filed 3/20/78; Rule 1, filed 6/29/67.]

WAC 308-04-020 Handling fee for dishonored checks in payment of vehicle or vessel licenses and certificates of ownership. (1) Will the department accept a check for registrations, licenses, permits or certificates of

ownership for vehicles or vessels? Yes, registrations, licenses, or permits relating to the licensing or titling of vehicles or vessels may be paid by check to county auditors, agents, vehicle licensing offices and subagents appointed or approved by the director under RCW 46.01.140.

(2) If my check is dishonored, do I have to pay a handling fee? Yes, when a financial institution dishonors a check by nonacceptance, stop payment, or nonpayment, a handling fee in the amount of twenty-five dollars will be assessed for each check.

(3) Who may collect the fee for dishonored checks? County auditors, agents, department vehicle licensing offices and subagents may collect and retain the handling fee.

[Statutory Authority: RCW 46.01.110, 82.36.435, 82.38.260, 82.42.040, 46.87.010(2), 00-08-032, § 308-04-020, filed 3/28/00, effective 4/28/00. Statutory Authority: RCW 46.01.110 and 43.24.023, 99-01-104, § 308-04-020, filed 12/17/98, effective 1/17/99. Statutory Authority: RCW 46.01.230(3), 87-21-014 (Order TL/RG 38), § 308-04-020, filed 10/9/87.]

Chapter 308-08 WAC PRACTICE AND PROCEDURE

WAC

308-08-005	Application of this chapter.
308-08-006	Model rules of procedure.
308-08-050	Appearance and practice before agency—Appearance by former employee of agency or former member of attorney general's staff.
308-08-060	Appearance and practice before agency—Former employee as expert witness.
308-08-085	Requests for adjudicative proceedings.
308-08-180	Subpoenas—Fees.
308-08-210	Subpoenas—Enforcement.
308-08-230	Depositions and interrogatories in adjudicative proceedings—Right to take.
308-08-240	Depositions and interrogatories in adjudicative proceedings—Scope.
308-08-260	Depositions and interrogatories in adjudicative proceedings—Authorization.
308-08-270	Depositions in adjudicative proceedings—Protection of parties and deponents.
308-08-280	Depositions and interrogatories in adjudicative proceedings—Oral examination and cross-examination.
308-08-290	Depositions and interrogatories in adjudicative proceedings—Recordation.
308-08-300	Depositions and interrogatories in adjudicative proceedings—Signing attestation and return.
308-08-310	Depositions and interrogatories in adjudicative proceedings—Use and effect.
308-08-320	Depositions and interrogatories in adjudicative proceedings—Fees of officers and deponents.
308-08-330	Depositions upon interrogatories—Submission of interrogatories.
308-08-340	Depositions upon interrogatories—Interrogation.
308-08-350	Depositions upon interrogatories—Attestation and return.
308-08-370	Official notice—Matters of law.
308-08-380	Official notice—Material facts.
308-08-390	Presumptions.
308-08-400	Stipulations and admissions of record.
308-08-415	Stay of final orders.
308-08-416	Petition for reconsideration of final orders.
308-08-460	Excerpts from documentary evidence.
308-08-505	Adjudicative proceedings—Pleadings, briefs, and motions.
308-08-515	Objections to brief adjudicative proceedings and conversion to formal adjudicative hearings.
308-08-525	Brief adjudicative proceedings—When they can be used.
308-08-535	Brief adjudicative proceedings conversion to formal adjudicative proceedings—Dealer and manufacturer services.
308-08-545	Brief adjudicative proceedings.
308-08-600	Scope of rules—Formal hearings—Discretionary suspension—Driver's licenses.
308-08-610	Formal hearings—Discretionary suspensions.

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Conduct of hearing—Matters considered.
Decision procedure.
Review procedures.
Reconsideration by director.
Persons authorized to make final decisions following formal hearing.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-08-010	Appearance and practice before agency—Who may appear. [Regulation .08.010, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-030	Appearance and practice before agency—Solicitation of business unethical. [Regulation .08.030, effective 3/23/60.] Repealed by 83-09-050 (Order DOL-715), filed 4/20/83.
308-08-040	Appearance and practice before agency—Standards of ethical conduct. [Regulation .08.040, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-070	Computation of time. [Regulation .08.070, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-080	Notice and opportunity for hearing in contested cases. [Regulation .08.080, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-090	Service of process—By whom served. [Regulation .08.090, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-100	Service of process—Upon whom served. [Regulation .08.100, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-110	Service of process—Service upon parties. [Regulation .08.110, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-120	Service of process—Method of service. [Regulation .08.120, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-130	Service of process—When service complete. [Regulation .08.130, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-140	Service of process—Filing with agency. [Regulation .08.140, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-150	Subpoenas—Where provided by law—Form. [Regulation .08.150, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-160	Subpoenas—Issuance to parties. [Regulation .08.160, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-170	Subpoenas—Service. [Regulation .08.170, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-190	Subpoenas—Proof of service. [Regulation .08.190, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-200	Subpoenas—Quashing. [Regulation .08.200, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-220	Subpoenas—Geographical scope. [Regulation .08.220, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
308-08-250	Depositions and interrogatories in contested cases—Officer before whom taken. [Regulation .08.250, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).

- 308-08-360 Depositions upon interrogatories—Provisions of deposition rule. [Regulation .08.360, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-410 Form and content of agency decisions in contested cases. [Regulation .08.410, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-420 Definition of issues before hearing. [Regulation .08.420, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-430 Prehearing conference rule—Authorized. [Regulation .08.430, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-440 Prehearing conference rule—Record of conference action. [Regulation .08.440, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-450 Submission of documentary evidence in advance. [Regulation .08.450, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-470 Expert or opinion testimony and testimony based on economic and statistical data—Number and qualifications of witnesses. [Regulation .08.470, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-480 Expert or opinion testimony and testimony based on economic and statistical data—Written sworn statements. [Regulation .08.480, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-490 Expert or opinion testimony and testimony based on economic and statistical data—Supporting data. [Regulation .08.490, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-500 Expert or opinion testimony and testimony based on economic and statistical data—Effect of noncompliance with WAC 308-08-470 or 308-08-480. [Regulation .08.500, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-510 Continuances. [Regulation .08.510, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-520 Rules of evidence—Admissibility criteria. [Regulation .08.520, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-530 Rules of evidence—Tentative admission—Exclusion—Discontinuance—Objections. [Regulation .08.530, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-540 Petitions for rule making, amendment or repeal—Who may petition. [Regulation .08.540, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-550 Petitions for rule making, amendment or repeal—Requirements. [Regulation .08.550, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-560 Petitions for rule making, amendment or repeal—Agency must consider. [Regulation .08.560, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-570 Petitions for rule making, amendment or repeal—Notice of disposition. [Regulation .08.570, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-580 Declaratory rulings. [Regulation .08.580, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).
- 308-08-590 Forms. [Regulation .08.590, effective 3/23/60.] Repealed by 90-21-086, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.05.220 (1)(a).

WAC 308-08-005 Application of this chapter. This chapter applies to all adjudicative proceedings under the jurisdiction of the department of licensing or the director of the department of licensing, provided that the rules shall not apply to adjudicative proceedings held pursuant to chapters 46.20, 46.25 and 46.65 RCW, except for hearings held pursuant to RCW 46.20.329 as provided in WAC 308-08-600 through 308-08-660.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-005, filed 10/17/90, effective 11/17/90. Statutory Authority: RCW 34.04.022, 46.01.-110 and 82.38.260. 78-08-054 (Order 504-DOL), § 308-08-005, filed 7/20/78; Regulation 08.005, effective 3/23/60.]

WAC 308-08-006 Model rules of procedure. Except as they may be inconsistent with the rules in this chapter, the department adopts the model rules of procedure as set forth in chapter 10-08 WAC.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-006, filed 10/17/90, effective 11/17/90.]

WAC 308-08-050 Appearance and practice before agency—Appearance by former employee of agency or former member of attorney general's staff. No former employee of the department or member of the attorney general's staff may at any time after severing his employment with the department or the attorney general appear in a representative capacity on behalf of other parties in a formal proceeding wherein he previously took an active part as a representative of the department as provided by RCW 42.22.040.

[Regulation .08.050, effective 3/6/61; Regulation .08.050, effective 3/23/60.]

WAC 308-08-060 Appearance and practice before agency—Former employee as expert witness. No former employee of department, board or commission shall at any time after severing his employment with the state of Washington appear, except with the written permission of the agency, as an expert witness on behalf of other parties in a formal proceeding wherein he previously took an active part in the investigation as a representative of department, board or commission.

[Regulation .08.060, effective 3/23/60.]

WAC 308-08-085 Requests for adjudicative proceedings. (1) All applications requesting that the department of licensing conduct an adjudicative proceeding, including but not limited to requests for a hearing in a proceeding initiated by the department shall be made on the form provided by the department or in a form which is substantially similar.

(2) Applications to the department for an adjudicative proceeding shall be made within the following time limitations:

(a) Within twenty calendar days of service upon the applicant of a written notice of an opportunity to request a hearing on the agency action.

(b) Within twenty calendar days of notice to the applicant from any source of agency action by the department which the applicant believes has or will adversely affect the applicant.

(c) For purposes of this subsection, the time limitations begin upon actual notice, personal service or deposit in the U.S. mail, whichever occurs first.

(3) Failure of an applicant to file an application for an adjudicative proceeding within the time limits set forth in subsection (2) of this section, constitutes a default and results in the loss of the applicant's right to an adjudicative proceeding. The department may proceed to resolve the case pursuant to RCW 34.05.440(1).

(4) The department shall not grant any request for an adjudicative proceeding to an applicant who is not aggrieved or adversely affected by the agency action as defined by RCW 34.05.530.

(5) The department shall process applications for adjudicative proceedings as provided in RCW 34.05.416 and 34.05.419.

[Statutory Authority: RCW 34.05.413(3). 02-19-035, § 308-08-085, filed 9/10/02, effective 10/11/02. Statutory Authority: RCW 34.05.416 and 34.05.419. 01-03-129, § 308-08-085, filed 1/23/01, effective 2/23/01. Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-085, filed 10/17/90, effective 11/17/90.]

WAC 308-08-180 Subpoenas—Fees. Witnesses summoned before the department, commission or board shall be paid by the party at whose instance they appear the same fees and mileage that are paid to witnesses in the superior courts of the state of Washington.

[Regulation .08.180, effective 3/23/60.]

WAC 308-08-210 Subpoenas—Enforcement. Upon application and for good cause shown, the department will seek judicial enforcement of subpoenas issued to parties and which have not been quashed.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-210, filed 10/17/90, effective 11/17/90; Regulation .08.210, effective 3/23/60.]

WAC 308-08-230 Depositions and interrogatories in adjudicative proceedings—Right to take. Except as may be otherwise provided, any party may take the testimony of any person, including a party, by deposition upon oral examination or written interrogatories for use as evidence in the proceeding, except that leave of the presiding officer must be obtained if notice of the taking is served by a proponent within twenty days of the date of hearing. The attendance of witnesses may be compelled by the use of a subpoena.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-230, filed 10/17/90, effective 11/17/90; Regulation .08.230, effective 3/23/60.]

WAC 308-08-240 Depositions and interrogatories in adjudicative proceedings—Scope. Unless otherwise ordered, the deponent may be examined regarding any matter not privileged, which is relevant to the subject matter involved in the proceeding.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-240, filed 10/17/90, effective 11/17/90; Regulation .08.240, effective 3/23/60.]

WAC 308-08-260 Depositions and interrogatories in adjudicative proceedings—Authorization. A party desiring to take the deposition of any person upon oral examination shall give reasonable notice of not less than five days in writing to the agency and all parties. The notice shall state the

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time and place for taking the deposition, the name and address of each person to be examined, if known, and if the name is not known, a general description sufficient to identify him or the particular class or group to which he belongs. On motion of a party upon whom the notice is served, the presiding officer may for cause shown, enlarge or shorten the time. If the parties so stipulate in writing, depositions may be taken before any person, at any time or place, upon any notice, and in any manner and when so taken may be used as other depositions.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-260, filed 10/17/90, effective 11/17/90; Regulation .08.260, effective 3/23/60.]

WAC 308-08-270 Depositions in adjudicative proceedings—Protection of parties and deponents. After notice is served for taking a deposition, upon its own motion or upon motion reasonably made by any party or by the person to be examined and upon notice and for good cause shown, the department or its designated presiding officer may make an order that the deposition shall not be taken, or that it may be taken only at some designated place other than that stated in the notice, or that it may be taken only on written interrogatories, or that certain matters shall not be inquired into, or that the scope of the examination shall be limited to certain matters, or that the examination shall be limited to certain matters, or that the examination shall be held with no one present except the parties to the action and their officers or counsel, or that after being sealed, the deposition shall be opened only by order of the department or that business secrets or secret processes, developments, or research need not be disclosed, or that the parties shall simultaneously file specified documents, or information enclosed in sealed envelopes to be opened as directed by the affected agency or the agency may make any other order which justice requires to protect the party or witness from annoyance, embarrassment or oppression. At any time during the taking of the deposition, on motion of any party or of the deponent and upon a showing that the examination is being conducted in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party, the department, or its designated presiding officer may order the officer conducting the examination to cease forthwith from taking the deposition, or may limit the scope and manner of the taking of the deposition as above provided. If the order made terminates the examination, it shall be resumed thereafter only upon the order of the department. Upon demand of the objecting party or deponent, the taking of the deposition shall be suspended for the time necessary to make a motion for an order.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-270, filed 10/17/90, effective 11/17/90; Regulation .08.270, effective 3/23/60.]

WAC 308-08-280 Depositions and interrogatories in adjudicative proceedings—Oral examination and cross-examination. Examination and cross-examination shall proceed as at an oral hearing. In lieu of participating in the oral examination, parties may serve written interrogatories in a sealed envelope on the party taking the deposition and he shall transmit them to the officer, who shall propound them to the witness and record the answers verbatim.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-280, filed 10/17/90, effective 11/17/90; Regulation .08.280, effective 3/23/60.]

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WAC 308-08-290 Depositions and interrogatories in adjudicative proceedings—Recordation. The officer before whom the deposition is to be taken shall put the witness on oath and shall personally or by someone acting under his direction and in his presence, record the testimony of the witness. The testimony shall be taken stenographically or recorded by other means as stipulated to by the parties, if requested by one of the parties, the testimony shall be transcribed. Objections to the notice, qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented or to the conduct of the officer, or of any party, shall be noted by the officer upon the deposition. All objections by any party not so made are waived.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-290, filed 10/17/90, effective 11/17/90; Regulation .08.290, effective 3/23/60.]

WAC 308-08-300 Depositions and interrogatories in adjudicative proceedings—Signing attestation and return. (1) When the testimony is fully transcribed, the deposition shall be submitted to the witness for examination and shall be read to or by him, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed, unless on a motion to suppress, the department holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

(2) The officer shall certify on the deposition that the witness was duly sworn by him and that the deposition is a true record of the testimony given by the witness. The officer shall then securely seal the deposition in an envelope indorsed with the title of proceeding and marked "Deposition of (here insert name of witness)" and shall promptly serve it on the person who ordered the transcript. Upon payment of reasonable charges therefor, the officer shall furnish a copy of the deposition to any party or to the deponent.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-300, filed 10/17/90, effective 11/17/90; Regulation .08.300, effective 3/23/60.]

WAC 308-08-310 Depositions and interrogatories in adjudicative proceedings—Use and effect. Subject to rulings by the presiding officer upon objections a deposition taken as provided in this rule will not become a part of the record in the proceeding until received in evidence by the presiding officer upon his own motion or the motion of any party. Except by agreement of the parties or ruling of the presiding officer, a deposition will be received only in its entirety. A party does not make a party, or the privy of a party, or any hostile witness his witness by taking his deposition. Any party may rebut any relevant evidence contained in a deposition whether introduced by him or any other party.

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[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-310, filed 10/17/90, effective 11/17/90; Regulation .08.310, effective 3/23/60.]

WAC 308-08-320 Depositions and interrogatories in adjudicative proceedings—Fees of officers and deponents. Deponents whose depositions are taken and the officers taking the same shall be entitled to the same fees as are paid for like services in the superior courts of the state of Washington, which fees shall be paid by the party at whose request the depositions are taken.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-320, filed 10/17/90, effective 11/17/90; Regulation .08.320, effective 3/23/60.]

WAC 308-08-330 Depositions upon interrogatories—Submission of interrogatories. Where the deposition is taken upon written interrogatories, the party offering the testimony shall separately and consecutively number each interrogatory and serve them with a notice stating the name and address of the person who is to answer them and the name or descriptive title and address of the officer before whom they are to be taken. Within 10 days thereafter a party so served may serve cross-interrogatories upon the party proposing to take the deposition. Within five days thereafter, the latter may serve redirect interrogatories upon the party who served cross-interrogatories.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-330, filed 10/17/90, effective 11/17/90; Regulation .08.330, effective 3/23/60.]

WAC 308-08-340 Depositions upon interrogatories—Interrogation. Where the interrogatories are forwarded to an officer authorized to administer oaths the officer taking the same after duly swearing the deponent, shall read to him seriatim, one interrogatory at a time and cause the same and the answer thereto to be recorded before the succeeding interrogatory is asked. No one except the deponent, the officer and the court reporter or stenographer recording and transcribing it shall be present during the interrogation.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-340, filed 10/17/90, effective 11/17/90; Regulation .08.340, effective 3/23/60.]

WAC 308-08-350 Depositions upon interrogatories—Attestation and return. The officer before whom interrogatories are verified or answered shall (1) certify under his official signature and seal that the deponent was duly sworn by him, that the interrogatories and answers are a true record of the deponent's testimony, that no one except deponent, the officer and the stenographer were present during the taking, and that neither he nor the stenographer, to his knowledge, is a party, privy to a party, or interested in the event of the proceedings, and (2) promptly send by registered or certified mail the original copy of the deposition and exhibits with his attestation to the department, or its designated presiding officer, one copy to the counsel who submitted the interrogatories and another copy to the deponent.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-350, filed 10/17/90, effective 11/17/90; Regulation .08.350, effective 3/23/60.]

WAC 308-08-370 Official notice—Matters of law. The presiding officer, upon request made before or during a hearing, will officially notice:

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(1) **Federal law.** The Constitution; congressional acts, resolutions, records, journals and committee reports; decisions of federal courts and administrative agencies; executive orders and proclamations; and all rules, orders and notices published in the Federal Register;

(2) **State law.** The Constitution of the state of Washington, acts of the legislature, resolutions, records, journals and committee reports; decisions of administrative agencies of the state of Washington, executive orders and proclamations by the governor; and all rules, orders and notices filed with the code reviser.

(3) **Governmental organization.** Organization, territorial limitations, officers, departments, and general administration of the government of the state of Washington, the United States, the several states and foreign nations;

(4) **Agency organization.** The department, administration, officers, personnel, official publications, and practitioners before its bar.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-370, filed 10/17/90, effective 11/17/90; Regulation .08.370, effective 3/23/60.]

WAC 308-08-380 Official notice—Material facts. In the absence of controverting evidence, the department and its presiding officers, upon request made before or during a hearing, may officially notice:

(1) **Department proceedings.** The pendency of, the issues and position of the parties therein, and the disposition of any proceeding then pending before or theretofore concluded by the department.

(2) **Business customs.** General customs and practices followed in the transaction of business;

(3) **Notorious facts.** Facts so generally and widely known to all well-informed persons as not to be subject to reasonable dispute, or specific facts which are capable of immediate and accurate demonstration by resort to accessible sources of generally accepted authority, including but not exclusively, facts stated in any publication authorized or permitted by law to be made by any federal or state officer, department, or agency;

(4) **Technical knowledge.** Matters within the technical knowledge of the agency involved as a body of experts, within the scope or pertaining to the subject matter of its statutory duties, responsibilities or jurisdiction;

(5) **Request or suggestion.** Any party may request, or the presiding officer or the department may suggest, that official notice be taken of a material fact, which shall be clearly and precisely stated, orally on the record, at any prehearing conference or oral hearing or argument, or may make such request or suggestion by written notice, any pleading, motion, memorandum, or brief served upon all parties, at any time prior to a final decision;

(6) **Statement.** Where an initial or final decision of the department rests in whole or in part upon official notice of a material fact, such fact shall be clearly and precisely stated in such decision. In determining whether to take official notice of material facts, the presiding officer may consult any source of pertinent information, whether or not furnished as it may be, by any party and whether or not admissible under the rules of evidence;

(7) **Controversion.** Any party may controvert a request or a suggestion that official notice of a material fact be taken

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at the time the same is made if it be made orally, or by a pleading, reply or brief in response to the pleading or brief or notice in which the same is made or suggested. If any decision is stated to rest in whole or in part upon official notice of a material fact which the parties have not had a prior opportunity to controvert, any party may controvert such fact by appropriate exceptions if such notice be taken in an initial or intermediate decision or by a petition for reconsideration if notice of such fact be taken in a final report. Such controversion shall concisely and clearly set forth the sources, authority and other data relied upon to show the existence or nonexistence of the material fact assumed or denied in the decision:

(8) **Evaluation of evidence.** Nothing herein shall be construed to preclude the department or its authorized agents from utilizing their experience, technical competence, and specialized knowledge in the evaluation of the evidence presented to them.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-380, filed 10/17/90, effective 11/17/90; Regulation .08.380, effective 3/23/60.]

WAC 308-08-390 Presumptions. Upon proof of the predicate facts specified in the following six subdivisions hereof without substantial dispute and by direct, clear, and convincing evidence, the department, with or without prior request or notice, may make the following presumptions, where consistent with all surrounding facts and circumstances:

(1) **Continuity.** That a fact of a continuous nature, proved to exist at a particular time, continues to exist as of the date of the presumption, if the fact is one which usually exists for at least that period of time;

(2) **Identity.** That persons and objects of the same name and description are identical;

(3) **Delivery.** Except in a proceeding where the liability of the carrier for nondelivery is involved, that mail matter, communications, express or freight, properly addressed, marked, billed and delivered respectively to the post office, telegraph, cable or radio company, or authorized common carrier of property with all postage, tolls and charges properly prepaid, is or has been delivered to the addressee or consignee in the ordinary course of business;

(4) **Ordinary course.** That a fact exists or does not exist, upon proof of the existence or nonexistence of another fact which in the ordinary and usual course of affairs, usually and regularly coexists with the fact presumed;

(5) **Acceptance of benefit.** That a person for whom an act is done or to whom a transfer is made has, does or will accept same where it is clearly in his own self-interest so to do;

(6) **Interference with remedy.** That evidence, with respect to a material fact which in bad faith is destroyed, eluded, suppressed or withheld by a party in control thereof, would if produced, corroborate the evidence of the adversary party with respect to such fact.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-390, filed 10/17/90, effective 11/17/90; Regulation .08.390, effective 3/23/60.]

WAC 308-08-400 Stipulations and admissions of record. The existence or nonexistence of a material fact, as made or agreed in a stipulation or in an admission of record, will be conclusively presumed against any party bound

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thereby, and no other evidence with respect thereto will be received upon behalf of such party, provided:

(1) **Upon whom binding.** Such a stipulation or admission is binding upon the parties by whom it is made, their privies and upon all other parties to the proceeding who do not expressly and unequivocally deny the existence or nonexistence of the material fact so admitted or stipulated, upon the making thereof, if made on the record at a prehearing conference, oral hearing, oral argument or by a writing filed and served upon all parties within five days after a copy of such stipulation or admission has been served upon them:

(2) **Withdrawal.** Any party bound by a stipulation or admission of record at any time prior to final decision may be permitted to withdraw the same in whole or in part by showing to the satisfaction of the presiding officer of the department that such stipulation or admission was made inadvertently or under a bona fide mistake of fact contrary to the true fact and that its withdrawal at the time proposed will not unjustly prejudice the rights of other parties to the proceeding.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-400, filed 10/17/90, effective 11/17/90; Regulation .08.400, effective 3/23/60.]

WAC 308-08-415 Stay of final orders. The director will not consider petitions to stay the effectiveness of final orders. Any such request should be made in connection with a petition for judicial review under chapter 34.05 RCW.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-415, filed 10/17/90, effective 11/17/90.]

WAC 308-08-416 Petition for reconsideration of final orders. Pursuant to RCW 34.05.470, a petition for reconsideration of a final order must be filed in the Office of the Director, Department of Licensing, Highways-Licenses Building, Olympia, Washington, within ten days of service of the final order. No matter will be reconsidered unless it clearly appears from the petition for reconsideration that there is material clerical error or specific material error of fact or law in the final order. Any response to the petition shall be filed with the office of the director within ten days of the date of service of the petition.

[Statutory Authority: RCW 18.235.030 and chapter 34.05 RCW. 05-02-006, § 308-08-416, filed 12/22/04, effective 1/22/05. Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-416, filed 10/17/90, effective 11/17/90.]

WAC 308-08-460 Excerpts from documentary evidence. When portions only of a document are to be relied upon, the offering party shall prepare the pertinent excerpts, adequately identified, and shall supply copies of such excerpts, together with a statement indicating the purpose for which such materials will be offered, to the presiding officer and to the other parties. Only the excerpts, so prepared and submitted, shall be received in the record. However, the whole of the original document shall be made available for examination and for use by all parties to the proceeding.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-460, filed 10/17/90, effective 11/17/90; Regulation .08.460, effective 3/23/60.]

WAC 308-08-505 Adjudicative proceedings—Pleadings, briefs, and motions. Pursuant to RCW 34.05.437,

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pleadings, briefs, and motions must be made in writing, and must be served on all other parties. This rule does not apply to matters that properly arise during a hearing.

[Statutory Authority: RCW 34.05.220 (1)(a). 90-21-086, § 308-08-505, filed 10/17/90, effective 11/17/90.]

WAC 308-08-515 Objections to brief adjudicative proceedings and conversion to formal adjudicative hearings. (1) At least five days before the scheduled brief adjudicative proceeding, any party, including the department, may file a written objection to resolution of a matter by a brief adjudicative proceeding and may request that a matter be converted to a formal adjudicative hearing. Upon receiving a timely written objection, the presiding officer shall determine whether the matter should be converted. Regardless of whether any party files a timely objection, the presiding officer may convert any brief adjudicative proceeding to a formal adjudicative hearing whenever it appears that a brief adjudicative proceeding is insufficient to determine the issues pending before the agency.

(2) In determining whether to convert a proceeding, the presiding officer may consider the following factors:

(a) Whether witness testimony will aid the presiding officer in resolving contested issues of fact;

(b) Whether the legal or factual issues are sufficiently complex to warrant a formal adjudicative proceeding, including whether there are multiple issues of fact or law;

(c) Whether a brief adjudicative proceeding will establish an adequate record for further agency or judicial review;

(d) Whether the legal issues involved in the proceeding present questions of legal significance or are being raised for the first time before the agency;

(e) Whether conversion of the proceeding will cause unnecessary delay in resolving the issues; and

(f) Any other factors that the presiding officer deems relevant in reaching a determination.

[Statutory Authority: RCW 18.235.030 and chapter 34.05 RCW. 05-02-006, § 308-08-515, filed 12/22/04, effective 1/22/05.]

WAC 308-08-525 Brief adjudicative proceedings—When they can be used. (1) The director adopts RCW 34.05.482 through 34.05.494 for the administration of brief adjudicative proceedings conducted at the discretion of the director. Brief adjudicative proceedings can be used in place of formal adjudicative hearings whenever the department issues a statement of charges, notice of intent to issue a cease and desist order, or temporary cease and desist order alleging that an applicant or licensee's conduct, act(s), or condition(s) constitute unlicensed practice or unprofessional conduct as that term is defined under chapter 18.235 RCW, the Uniform Regulation of Business and Professions Act. Brief adjudicative proceedings can also be used whenever the statement of charges, notice of intent to issue a cease and desist order, or temporary cease and desist order alleges violations of any statute or rule that specifically governs disciplinary actions within a profession for which the applicant seeks a license or from which the licensee holds a license.

(2) Brief adjudicative proceedings may be used to determine the following issues, including, but not limited to:

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(a) Whether an applicant has satisfied terms for reinstatement of a license after a period of license restriction, suspension, or revocation;

(b) Whether an applicant is eligible to sit for a professional licensing examination;

(c) Whether an applicant or licensee has satisfied financial security requirements by providing adequate proof of surety bonds or other proof of financial security, as required by law;

(d) Whether a sanction proposed by the department is appropriate based on the stipulated facts;

(e) Whether an applicant meets minimum requirements for an initial or renewal application;

(f) Whether an applicant has failed the professional licensing examination;

(g) Whether a licensee has sufficient continuing education credits when the licensee submits a renewal application;

(h) Whether an applicant or licensee failed to cooperate in an investigation by the department;

(i) Whether an applicant or licensee was convicted of a crime that should disqualify the applicant or licensee from holding the specific license sought or held;

(j) Whether an applicant or licensee has defaulted on educational loans;

(k) Whether an applicant or licensee has violated the terms of a final order issued by the director or director's designee;

(l) Whether a licensee has committed recordkeeping violations;

(m) Whether a licensee has committed trust account violations;

(n) Whether an applicant or licensee has engaged in false, deceptive, or misleading advertising; or

(o) Whether a person has engaged in unlicensed practice.

(3) In addition to the situations enumerated in subsection (2) of this section, the department may conduct brief adjudicative proceedings instead of formal adjudicative hearings whenever the parties have stipulated to the facts and the only issues presented are issues of law, or whenever issues of fact exist but witness testimony is unnecessary to prove or disprove the relevant facts.

[Statutory Authority: RCW 18.235.030 and chapter 34.05 RCW. 05-02-006, § 308-08-525, filed 12/22/04, effective 1/22/05.]

WAC 308-08-535 Brief adjudicative proceedings conversion to formal adjudicative proceedings—Dealer and manufacturer services. (1) At least five days before the scheduled issuance of either an initial or a final order, any party, including the department, may file a written objection to resolution of a matter by a brief adjudicative proceeding and may request that it be converted to a formal adjudicative proceeding. Upon receiving a timely written objection, the presiding officer or reviewing officer, shall determine whether the matter should be converted. Regardless of whether any party files a timely objection, the presiding or reviewing officer may convert any brief adjudicative proceeding to a formal adjudicative proceeding whenever it appears that a brief adjudicative proceeding is insufficient to determine the issues pending before the agency.

(2) In determining whether to convert a proceeding, the presiding officer may consider the following factors:

(a) Whether witness testimony will aid the presiding or reviewing officer in resolving contested issues of fact;

(b) Whether the legal or factual issues are sufficiently complex to warrant a formal adjudicative proceeding, including whether there are multiple issues of fact or law;

(c) Whether a brief adjudicative proceeding will establish an adequate record for further agency or judicial review;

(d) Whether the legal issues involved in the proceeding present questions of legal significance or are being raised for the first time before the agency;

(e) Whether conversion of the proceeding will cause unnecessary delay in resolving the issues; and

(f) Any other factors that the presiding or reviewing officer deems relevant in reaching a determination.

[Statutory Authority: RCW 34.05.220. 05-21-025, § 308-08-535, filed 10/10/05, effective 11/10/05.]

WAC 308-08-545 Brief adjudicative proceedings. To what do they apply? The department of licensing, dealer and manufacturer services section, adopts the provisions of RCW 34.05.482 through 34.05.494 for the matters listed in this section. The department may use brief adjudicative proceedings (BAPs) where their use will not violate any provisions of law, and where protection of the public interest does not require the department to give notice and an opportunity to participate to persons other than the parties.

The department may use BAPs including, but not limited to, the following matters:

(1) Whether a surety bond (or insurance) has been exhausted or cancellation pursuant to RCW 46.70.070, 46.80.070, 46.55.030 or 88.02.060, or the insurance required in RCW 46.55.030;

(2) Whether the licensee has failed to maintain an established place of business pursuant to RCW 46.70.023, WAC 308-66-140, RCW 46.80.130, WAC 308-63-070, RCW 46.55.060, WAC 308-61-108, RCW 88.02.078, 46.79.030, or WAC 308-65-030;

(3) Whether a person has failed to comply with an order or to pay a previously assessed fine, pursuant to RCW 46.70.101, 46.55.200, 46.80.110, or 88.02.188;

(4) Whether a licensee has been selling, exchanging, offering, brokering, auctioning, soliciting, advertising new or current model vehicles without a service agreement with a manufacturer, pursuant to RCW 46.70.101 or 46.70.041;

(5) Whether a licensee had failed to promptly transfer title, pursuant to RCW 46.70.122, WAC 308-66-190, 308-56A-420, or 308-90-150;

(6) Whether a licensee had failed to notify the department of a fact in which the licensee is required to timely notify the department (e.g., WAC 308-66-210 or 308-61-108);

(7) Whether a licensee has failed to have a current certificate or registration with the department of revenue pursuant to RCW 46.70.101;

(8) Whether the applicant whose license was suspended for cause and the terms of the suspension have not been fulfilled pursuant to RCW 46.70.101;

(9) Whether the applicant having been adjudged guilty of a crime which directly relates to the business of a vehicle dealer and the time elapsed since the adjudication is less than ten years, or suffering any judgment within the preceding five

years in any civil action involving fraud, misrepresentation, or conversion pursuant to RCW 46.70.101 or 46.80.110 in the case of vehicle wreckers, or RCW 46.79.070 in the case of hulk haulers or scrap processors;

(10) Whether the applicant knowingly or with reason to know made a false statement of a material fact in his or her application for license or any data attached thereto pursuant to RCW 46.70.101;

(11) Whether an applicant or licensee has sufficient education credits as required by RCW 46.70.079;

(12) Whether a person is engaging in or about to engage in the business of a licensee as referenced in RCW 46.70.115, 46.80.180, or 46.55.210;

(13) Whether an applicant or licensee is solvent within the meaning of RCW 46.70.101;

(14) Whether a licensee has failed to maintain records as required by RCW 46.70.120, WAC 308-66-180, RCW 46.55.150 or 46.80.080.

The sole issue to be heard at the adjudicative proceedings shall be whether the applicant is in compliance with the requirements set forth in subsections (1) through (14) of this section.

[Statutory Authority: RCW 34.05.220, 05-21-025, § 308-08-545, filed 10/10/05, effective 11/10/05.]

WAC 308-08-600 Scope of rules—Formal hearings—Discretionary suspension—Driver's licenses. The following rules numbered WAC 308-08-610 through 308-08-660 shall apply only to formal hearings held pursuant to RCW 46.20.329. They shall not apply to hearings held pursuant to chapter 308-103 WAC (implied consent revocations) or hearings under the provisions of chapter 308-102 WAC (the Financial Responsibility Act).

[Statutory Authority: RCW 46.01.110 and 46.20.308, 02-11-011, § 308-08-600, filed 5/3/02, effective 6/3/02; Order MV-141, § 308-08-600, filed 7/27/72.]

WAC 308-08-610 Formal hearings—Discretionary suspensions. All formal hearings held pursuant to RCW 46.20.329 shall be conducted by a department hearing officer, who is appointed a referee for such purposes. In addition to the referees appointed by this section the director may from time to time appoint additional referees or may revoke the authority of any referee appointed by this section, but a record of such appointment or revocation of appointment shall be kept in the order registry in the director's office and may be examined at any time by any interested person.

[Statutory Authority: RCW 34.05.220 (1)(a), 90-21-086, § 308-08-610, filed 10/17/90, effective 11/17/90; Order MV-141, § 308-08-610, filed 7/27/72.]

WAC 308-08-620 Conduct of hearing—Matters considered. At the outset of a formal hearing the referee shall advise the licensee of those matters contained in the department's records upon which the department's intended action is based. He shall judicially notice the files and records of the department which may be examined by the licensee or his attorney. The referee shall examine all witnesses including the licensee but nothing herein shall be construed as prohibiting the licensee from offering additional relevant testimony nor shall this be construed as prohibiting the examination of witnesses by the licensee or his attorney.

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[Order MV-141, § 308-08-620, filed 7/27/72.]

WAC 308-08-630 Decision procedure. At the conclusion of the hearing the referee shall announce his decision or what his recommended action will be if then known to him. He shall prepare a written summary of his findings together with a recommendation for departmental action unless he is a person authorized to make final decisions on behalf of the department, in which case he shall make a written summary of his findings together with his decision concerning departmental action to be taken.

[Order MV-141, § 308-08-630, filed 7/27/72.]

WAC 308-08-640 Review procedures. In all cases not heard by a person authorized to make final decisions on behalf of the department, the file, summary of the findings, and recommendation shall be forwarded to the administrator of the hearings and interviews section or, in his absence, the assistant director for driver services, for review. If there was a substantial issue of fact resolved at the hearing this shall be noted in the summary and the tape transcription of the proceeding shall be forwarded for review. The administrator of the hearings and interviews section, or in his absence, the assistant director for driver services, shall review the file, summary of findings, recommendation, and if necessary, the tape transcription of the evidence. The reviewer may either accept the recommendation by marking the word "approved" on the findings and recommendations together with his signature, or he may reject the recommendation in which case he shall append the action he deems appropriate to the summary and recommendation. In all cases the action of the reviewer shall be final.

[Statutory Authority: RCW 34.05.220 (1)(a), 90-21-086, § 308-08-640, filed 10/17/90, effective 11/17/90; Order MV-141, § 308-08-640, filed 7/27/72.]

WAC 308-08-650 Reconsideration by director. In all cases not heard directly by the director of the department of licensing and determined by a person having authority to make final decisions following a formal hearing pursuant to WAC 308-08-660 the aggrieved person may pursue his remedies pursuant to RCW 46.20.334, or, he may prior to the effective date of the department action petition the director for reconsideration of the action taken by the department. The director, upon review of the records, evidence, and of the findings after a formal hearing, shall promptly render his decision sustaining, modifying or reversing the departmental order.

[Statutory Authority: RCW 34.05.220 (1)(a), 90-21-086, § 308-08-650, filed 10/17/90, effective 11/17/90; Order MV-141, § 308-08-650, filed 7/27/72.]

WAC 308-08-660 Persons authorized to make final decisions following formal hearing. The administrator of the hearings and interviews section, the assistant director for driver services, and such other persons as the director may from time to time appoint by administrative order filed in the registry maintained in his office shall have authority to render final decisions on behalf of the department on all matters heard by formal hearing pursuant to RCW 46.20.329.

[Statutory Authority: RCW 34.05.220 (1)(a), 90-21-086, § 308-08-660, filed 10/17/90, effective 11/17/90; Order MV-141, § 308-08-660, filed 7/27/72.]

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Chapter 308-10 WAC
PUBLIC RECORDS DISCLOSURE

WAC

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**DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER**

308-10-035	Office hours. [Order MV 348, § 308-10-035, filed 12/24/75.] Repealed by 06-16-039, filed 7/26/06, effective 8/26/06. Statutory Authority: RCW 42.17.260, 42.17.250, and 46.01.110.
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WAC 308-10-005 Authority and purpose. (1) RCW 42.17.260(1)/42.56.070(1) requires each agency to make available for inspection and copying nonexempt "public records" in accordance with published rules. The act defines "public record" to include any "writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained" by the agency.

(2) The purpose of these rules is to establish the procedures the department of licensing will follow in order to provide full access to public records. These rules provide information to persons wishing to request access to public records of the department of licensing and establish processes for both requestors and the department of licensing staff that are designed to best assist members of the public in obtaining such access.

(3) The purpose of the act is to provide the public full access to information concerning the conduct of government, mindful of individuals' privacy rights and the desirability of the efficient administration of government. The act and these rules will be interpreted in favor of disclosure. In carrying out its responsibilities under the act, the department of licensing will be guided by the provisions of the act describing its purposes and interpretation.

[Statutory Authority: RCW 42.17.260, 42.17.250, and 46.01.110. 06-16-039, § 308-10-005, filed 7/26/06, effective 8/26/06. Statutory Authority: RCW 42.17.250. 92-09-107, § 308-10-005, filed 4/20/92, effective 5/21/92; Order MV 348, § 308-10-005, filed 12/24/75.]

WAC 308-10-010 Definitions. (1) The definitions set forth in RCW 42.17.020/42.56.010 shall apply to this chapter.

(2) "Designee" is a department employee authorized by the public records officer to receive and respond to a public records request.

(3) The "department of licensing" is the agency created pursuant to chapter 46.01 RCW. The department of licensing shall hereinafter be referred to as the department. Where

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appropriate, the term department also refers to the staff and employees of the department of licensing.

(4) "Director" means the director of the department of licensing as appointed by the governor pursuant to RCW 46.01.090.

(5) "Listing (list)" means an item-by-item series of names, figures, words or numbers written or printed one after the other.

(6) "Individual" means a natural person.

(7) "Commercial purpose" means using or intending to use information for the purpose of facilitating a profit expecting business activity.

(8) "Profession" when applied to department records, or the release of department record information, means any state regulated business, profession or occupation administered by the assistant director, business and professions division.

[Statutory Authority: RCW 42.17.260, 42.17.250, and 46.01.110. 06-16-039, § 308-10-010, filed 7/26/06, effective 8/26/06. Statutory Authority: RCW 46.01.110. 99-17-031, § 308-10-010, filed 8/11/99, effective 9/11/99. Statutory Authority: RCW 42.17.250. 96-05-036, § 308-10-010, filed 2/15/96, effective 3/17/96; 92-09-107, § 308-10-010, filed 4/20/92, effective 5/21/92; Order MV 348, § 308-10-010, filed 12/24/75.]

WAC 308-10-015 Location of administrative office.

The administrative office of the department and its staff are located in the Highways-Licenses Building, 1125 Washington Street Southeast, Olympia 98504.

[Statutory Authority: RCW 42.17.250. 92-09-107, § 308-10-015, filed 4/20/92, effective 5/21/92; Order MV 348, § 308-10-015, filed 12/24/75.]

WAC 308-10-020 Operations and procedures. (1)

The department is organized under a director, deputy director, chief financial officer, chief information officer and three assistant directors. Each assistant director and officer is delegated authority to act in a specific functional area. The five major functional components are: Vehicle services, driver services, finance and administration division, information services, and business and professions division.

(2) The director of the department is appointed by the governor, with consent of the senate, and holds office at the pleasure of the governor.

(a) Subject to statutory limitations the director has complete charge of the department. The director may delegate any power or duty vested in the office to any assistant or subordinate, but remains responsible for the official acts of the officers and employees.

(b) By the specific powers of legislation and delegation the director is charged with the responsibility and authority to act and direct in the following areas:

(i) Efficiently administer the laws pertaining to licensing of vehicles, vehicle operators, professions, occupations, real estate, vessels, and businesses.

(ii) Adopt and enforce rules consistent with, and necessary to carry out, the provisions of existing laws.

(c) Each assistant director and officer reports directly to the deputy director, unless otherwise prescribed.

(d) Unless specifically delegated the director shall establish and maintain relationships with the state's executive offices, legislature, and other state agencies, other states and other states' agencies, agencies of the federal government,

state and national associations, local and municipal governments, boards and commissions, and the press.

(e) The director shall have direct authority over matters pertaining to public information, research, and legal issues.

(3) The assistant director, vehicle services, has authority to act in the following areas:

(a) Administer laws pertaining to:

(i) Vehicle and vessel licensing and excise tax programs;

(ii) Fuel tax programs;

(iii) Proration and reciprocity programs;

(iv) Vehicle and vessel dealer, manufacturer licensing and inspection programs; and

(v) Miscellaneous vehicle licensing programs including: Transporters, wreckers, hulk haulers, abandoned vehicles, tow truck operators, scrap processors, snowmobile and ORV vehicle dealers.

(b) Adopt and enforce rules and standards to carry out the provisions of existing law.

(c) Administer the licensing functions of county auditors, and licensing agents who have been appointed to act on behalf of the department.

(4) The assistant director, driver services, has authority to act in the following areas:

(a) Administer the laws pertaining to driver licensing, financial responsibility, driver improvement, and examining;

(b) Adopt and enforce rules and standards to carry out the provisions of existing law; and

(c) Determine field office locations and initiate property acquisition.

(5) The assistant director, business and professions division, has authority to act in the following areas:

(a) Administer the laws in conjunction with appointed boards pertaining to the following professions, occupations, and businesses:

Appraisers
Architects
Auctioneers
Bail bonds
Boxing
Camping resorts
Cemeteries
Collection agencies
Cosmetologists
Court reporters
Employment agencies
Engineers
Firearms
Funeral directors
Geologists
Land surveyors
Landscape architects
Limousines
Martial arts
Notaries public
On-site wastewater treatment
Real estate
Private investigators
Security guards
Sellers of travel
Timeshares

Vehicle for hire (includes taxis)

Wrestling

Uniform commercial code (UCC)

(i) The assistant director of the business and professions division helps administer the laws in conjunction with appointed boards, who exercise administrative and regulatory functions. Those boards are as follows:

Real Estate Appraiser Commission

Board of registration for architects

Board of funeral directors and embalmers

Cemetery licensing board

Collection agency board

Cosmetology, barbering, esthetics, and manicuring advisory board

Professional engineers and land surveyors board

Landscape architect board

Real estate commission

On-site wastewater design advisory committee

Geologist licensing board

(ii) Correspondence to these boards should be directed to the program units for the boards.

(b) Adopt and enforce the rules, regulations and standards in conjunction with appointed boards to carry out the provisions of existing laws.

(c) Establish and maintain relationships with commissions, boards, societies, associations, and agencies both external and internal to this state in order to enhance the department's capability for recommending improvements in legislation, rules, or regulations relative to professions, occupations, or businesses.

(d) Administer the laws pertaining to Uniform Commercial Code, business licensing and registration.

(6) The chief financial officer, finance and administration division, has authority to act in the following areas:

(a) Develop, promote, and direct department activities and programs which relate to:

(i) Budget and management systems;

(ii) Supply and equipment procurement;

(iii) Records management;

(iv) Fiscal and revenue accounting;

(v) Contracts;

(vi) Safety and risk management;

(vii) Facilities;

(viii) Mail operations;

(b) Organize, provide, and manage integrated staff services to best serve the overall interests of the department.

(7) The chief information officer, information services, has the authority to act in the following areas:

(a) Develop, promote, coordinate, and direct department activities which relate to the automated processing of data.

(b) Consult and work with other state agencies in structuring and phase-in of interagency related programs.

(c) Develop and implement a formal problem reporting system.

(8) The department conducts informal and formal proceedings in areas of its statutory authority as related in WAC 308-10-020. These proceedings are governed by chapters 34.05, 42.30 and 43.24 RCW, except that the denial, suspension, or revocation of drivers' licenses are not subject to pro-

visions of chapter 34.05 RCW, the Administrative Procedure Act, other than those actions taken pursuant to chapter 46.29 RCW. The department has adopted rules in Title 308 WAC.

[Statutory Authority: RCW 42.17.260, 42.17.250, and 46.01.110. 06-16-039, § 308-10-020, filed 7/26/06, effective 8/26/06. Statutory Authority: RCW 42.17.250. 96-05-036, § 308-10-020, filed 2/15/96, effective 3/17/96; 92-09-107, § 308-10-020, filed 4/20/92, effective 5/21/92; Order MV 348, § 308-10-020, filed 12/24/75.]

WAC 308-10-025 Public records available. All public records of the department are deemed to be available for public inspection and copying during normal business hours pursuant to these rules, except as otherwise provided by chapters 42.17/42.56 and 46.12 RCW, WAC 308-10-050 and 308-93-087. For the purposes of this chapter, the normal business hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

[Statutory Authority: RCW 42.17.260, 42.17.250, and 46.01.110. 06-16-039, § 308-10-025, filed 7/26/06, effective 8/26/06. Statutory Authority: RCW 42.17.250. 96-05-036, § 308-10-025, filed 2/15/96, effective 3/17/96; 92-09-107, § 308-10-025, filed 4/20/92, effective 5/21/92; Order MV 348, § 308-10-025, filed 12/24/75.]

WAC 308-10-030 Public records officer. The department's public records officer shall be designated by the director. The person so designated shall be located in the main administrative offices of the department. The public records officer shall be responsible for the following: The implementation of the department's rules regarding release of public records, coordinating the staff of the department in this regard, maintaining, keeping current, and publishing an index of all agency records and ensuring compliance with the public records disclosure act requirements.

[Statutory Authority: RCW 42.17.260, 42.17.250, and 46.01.110. 06-16-039, § 308-10-030, filed 7/26/06, effective 8/26/06. Statutory Authority: RCW 42.17.250. 96-05-036, § 308-10-030, filed 2/15/96, effective 3/17/96; 92-09-107, § 308-10-030, filed 4/20/92, effective 5/21/92; Order MV 348, § 308-10-030, filed 12/24/75.]

WAC 308-10-040 Requests for public records. In accordance with requirements of chapter 42.17/42.56 RCW, that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon the department's public records request form or by letter, fax, or e-mail addressed to the public records officer or designee where the record is held. The request shall include the following information:

- (a) The name and address of the person requesting the record.
- (b) The calendar date on which the request is made.
- (c) The nature of the request.
- (d) A reference to the requested record as it is described in the current department record index.

Note: If the material is not identifiable by reference to the department's current index, an accurate description of the record is requested.

(e) The signature and other contact information including telephone number and any e-mail address.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested.

(3) Persons authorized by law to obtain lists of names of individuals from public records will be required to complete a statement agreeing not to release or use the information for commercial purposes.

(4) If the requestor wishes to have copies of the records made instead of simply inspecting them, he or she should so indicate and make arrangements to pay for copies of the records or a deposit. Pursuant to WAC 308-10-045, standard photocopies will be provided at fifteen cents per page.

(5) The public records officer or designee may accept requests for public records that contain the above information by telephone or in person. If the public records officer or designee accepts such a request, he or she will confirm, in writing, receipt of the information and the substance of the request.

[Statutory Authority: RCW 42.17.260, 42.17.250, and 46.01.110. 06-16-039, § 308-10-040, filed 7/26/06, effective 8/26/06. Statutory Authority: RCW 42.17.250. 96-05-036, § 308-10-040, filed 2/15/96, effective 3/17/96; 92-09-107, § 308-10-040, filed 4/20/92, effective 5/21/92; Order MV 348, § 308-10-040, filed 12/24/75.]

WAC 308-10-041 Processing of public records requests—General. (1) Providing "fullest assistance." The department is charged by statute with adopting rules which provide for how it will "provide full access to public records," "protect records from damage or disorganization," "prevent excessive interference with other essential functions of the agency," provide "fullest assistance" to requestors, and provide the "most timely possible action" on public records requests. The public records officer or designee will process requests in the order allowing the most requests to be processed in the most efficient manner.

(2) Acknowledging receipt of request. Within five business days of receipt of the request, the public records officer or designee will do one or more of the following:

- (a) Make the records available for inspection or copying;
- (b) If copies are requested and payment of a deposit for the copies, if any, is made or terms of payment are agreed upon, send the copies to the requestor;
- (c) Provide a reasonable estimate of when records will be available; or

(d) If the request is unclear or does not sufficiently identify the requested records, request clarification from the requestor. Such clarification may be requested and provided by telephone. The public records officer or designee may revise the estimate of when records will be available; or

(e) Deny the request.

(3) Consequences of failure to respond. If the department does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting the public records officer or designee to determine the reason for the failure to respond.

(4) Protecting rights of others. In the event that the requested records contain information that may affect rights of others and may be exempt from disclosure, the public

records officer may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure. Such notice should be given so as to make it possible for those other persons to contact the requestor and ask him or her to revise the request, or, if necessary, seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request.

(5) Inspection of records.

(a) Consistent with other demands, the department shall promptly provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents he or she wishes the agency to copy.

(b) The requestor must claim or review the assembled records within thirty days of the department's notification to him or her that the records are available for inspection or copying. The department will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the department to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty-day period or make other arrangements, the department may close the request and refile the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or almost identical records, which can be processed as a new request.

(6) Providing copies of records. After inspection is complete, the public records officer or designee shall make the requested copies or arrange for copying.

(7) Providing records in installments. When the request is for a large number of records, the public records officer or designee will provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that way. If, within thirty days, the requestor fails to inspect the entire set or records or one or more of the installments, the public records officer or designee may stop searching for the remaining records and close the request.

(8) Completion of inspection. When the inspection of the requested records is complete and all requested copies are provided, the public records officer or designee will indicate that the department has completed a diligent search for the requested records and made any located nonexempt records available for inspection.

(9) Closing withdrawn or abandoned request. When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the public records officer or designee will close the request and indicate to the requestor that the department has closed the request.

(10) Later discovered documents. If, after the department has informed the requestor that it has provided all available records, the department becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requestor of the additional documents and provide them on an expedited basis.

[Statutory Authority: RCW 42.17.260, 42.17.250, and 46.01.110. 06-16-039, § 308-10-041, filed 7/26/06, effective 8/26/06.]

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WAC 308-10-045 Costs of providing copies of public records. (1) No fee shall be charged for the inspection of public records. The department shall charge a fee in the amount necessary to reimburse the department for its actual costs incident to providing copies of public records. The schedule of charges is:

ITEM	FEE
Copies produced on copying and duplicating equipment	15 cents per page
Computer generated listing, magnetic tapes or labels	Cost of services
Microfilm copies	75 cents per page
Postal charges	May be added to any copy of a public record if applicable

(2) Before beginning to make the copies, the public records officer or designee may require a deposit of up to ten percent of the estimated costs of copying all the records selected by the requestor. The public records officer or designee may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment. The department will not charge sales tax when it makes copies of public records.

(3) Payment may be made by check or money order to the department.

[Statutory Authority: RCW 42.17.260, 42.17.250, and 46.01.110. 06-16-039, § 308-10-045, filed 7/26/06, effective 8/26/06. Statutory Authority: RCW 46.01.110 and 42.17.260. 99-09-045, § 308-10-045, filed 4/19/99, effective 5/20/99. Statutory Authority: RCW 42.17.250. 96-05-036, § 308-10-045, filed 2/15/96, effective 3/17/96; 92-09-107, § 308-10-045, filed 4/20/92, effective 5/21/92; Order MV 348, § 308-10-045, filed 12/24/75.]

WAC 308-10-050 Exemptions. (1) The department may determine that a public record requested is exempt under the provisions of chapter 42.17/42.56 RCW. In addition, documents are exempt from disclosure if any "other statute" exempts or prohibits disclosure.

(2) Under RCW 42.17.260/42.56.210, the department may delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17/42.56 RCW.

(3) The department will not release personal information, as defined in 18 USC 2725(3), from records pertaining to motor vehicle operator's licenses and permits, motor vehicle titles, motor vehicle registrations, and identification cards, unless the release both is considered a permissible use under 18 USC 2721 and is otherwise permitted by state law. In construing 18 USC 2721 (b)(2), the release of personal information for use in connection with matters of motor vehicle safety or driver safety shall be deemed to include the physical safety of persons as drivers, passengers or pedestrians and their motor vehicles or property.

(4) All denials of requests for public records will be accompanied by a written statement specifying the reason for the deletion or denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

(5) The department is prohibited by statute from disclosing lists of individuals for commercial purposes.

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[Statutory Authority: RCW 42.17.260, 42.17.250, and 46.01.110. 06-16-039, § 308-10-050, filed 7/26/06, effective 8/26/06. Statutory Authority: RCW 46.01.110. 97-17-009, § 308-10-050, filed 8/7/97, effective 9/13/97. Statutory Authority: RCW 42.17.250. 92-09-107, § 308-10-050, filed 4/20/92, effective 5/21/92; Order MV 348, § 308-10-050, filed 12/24/75.]

WAC 308-10-055 Review of denials of public records. (1) Petition for internal administrative review of denial of access. Any person who objects to the initial denial or partial denial of a records request may petition in writing (including e-mail) to the public records officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the public records officer or designee denying the request.

(2) Consideration of petition for review. The public records officer shall promptly provide the petition and any other relevant information to the manager of administration, finance and administration division. That person will immediately consider the petition and either affirm or reverse the denial within two business days following the department's receipt of the petition, or within such other time as the department and the requestor mutually agree to.

(3) Review by the attorney general's office. Pursuant to RCW 42.17.325/42.56.530, if the department denies a requestor access to public records because it claims the record is exempt in whole or in part from disclosure, the requestor may request the attorney general's office to review the matter. The attorney general has adopted rules on such requests in WAC 44-06-160.

(4) Judicial review. Any person may obtain court review of denials of public records requests pursuant to RCW 42.17.340/42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.

[Statutory Authority: RCW 42.17.260, 42.17.250, and 46.01.110. 06-16-039, § 308-10-055, filed 7/26/06, effective 8/26/06. Statutory Authority: RCW 42.17.250. 92-09-107, § 308-10-055, filed 4/20/92, effective 5/21/92; Order MV 348, § 308-10-055, filed 12/24/75.]

WAC 308-10-060 Protection of public records. The department is primarily a licensing agency. The records consist mainly of operational files that are subject to high usage. In order to ensure that essential functions of the agency are continually carried out, and the public records are not damaged, altered, disorganized, or lost, access to the record storage areas is restricted. Public records will be inspected in the offices in which they are filed and maintained. Inspection shall be in the presence of an authorized department staff employee. Inspection shall be denied and the records will be withdrawn if the individual inspecting the records is doing so in a manner to damage, alter, or substantially disorganize them. Inspection shall be denied and records withdrawn if the individual inspecting the records attempts to remove them from the prescribed location or is excessively interfering or will unduly interfere with other essential functions of the department.

[Statutory Authority: RCW 42.17.250. 92-09-107, § 308-10-060, filed 4/20/92, effective 5/21/92; Order MV 348, § 308-10-060, filed 12/24/75.]

WAC 308-10-065 Records index. (1) Index. The department has available to all persons a current index which (2007 Ed.)

provides identifying information as to the following records issued, adopted, or promulgated since its inception:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statute, and constitution which have been adopted by the agency;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports, and surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory, or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) Availability. The current index promulgated by the department shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

[Order MV 348, § 308-10-065, filed 12/24/75.]

WAC 308-10-067 Public records indexing system. (1) The department has implemented a system of indexing for identification and location of the following records:

(a) All records issued before July 1, 1990, for which the department has maintained an index.

(b) Final orders from adjudicative proceedings as defined in RCW 34.05.010(1) entered after June 30, 1990, that contain an analysis or decision of substantial importance to the department in carrying out its duties.

(c) Declaratory orders entered after June 30, 1990, that contain an analysis or decision of substantial importance to the department in carrying out its duties.

(d) Interpretive statements entered after June 30, 1990.

(e) Policy statements entered after June 30, 1990.

(2) The department shall maintain a general index of all its records available to the public for inspection and copying, including those records mentioned above.

(3) The general index of public records will be maintained and updated by the department. The index of records is available during regular business hours for public inspection at the department's main office located at the Department of Licensing, 1125 Washington Street S.E., Olympia, Washington 98504. The public records officer is responsible for updating the general index.

[Statutory Authority: RCW 42.17.260, 42.17.250, and 46.01.110. 06-16-039, § 308-10-067, filed 7/26/06, effective 8/26/06. Statutory Authority: RCW 42.17.250. 96-05-036, § 308-10-067, filed 2/15/96, effective 3/17/96. Statutory Authority: RCW 42.17.260(4). 91-13-057, § 308-10-067, filed 6/17/91, effective 7/18/91.]

WAC 308-10-070 Communications with department. All written communications with the department pertaining to the administration or enforcement of chapter 42.17/42.56

RCW and these rules shall be addressed as follows: Department of Licensing, c/o Public Records Officer, Highways-Licenses Building, 1125 Washington Street S.E., Olympia, WA 98504-8001.

[Statutory Authority: RCW 42.17.260, 42.17.250, and 46.01.110. 06-16-039, § 308-10-070, filed 7/26/06, effective 8/26/06. Statutory Authority: RCW 42.17.250. 92-09-107, § 308-10-070, filed 4/20/92, effective 5/21/92; Order MV 348, § 308-10-070, filed 12/24/75.]

Chapter 308-11 WAC REGULATION OF AUCTIONEERS

WAC

308-11-030	Auctioneer fees.
308-11-035	Renewal of registration.
308-11-050	Surety bond or other security in lieu of bond required.
308-11-060	Advance notice of cancellation or termination required.
308-11-100	Records.
308-11-120	Inspection and audit.
308-11-130	Suit or complaint notification.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-11-001	Fees. [Statutory Authority: RCW 42.24.085 [43.24.085], 1982 c 205, §§ 3, 9, 10 and 18. 82-23-023 (Order PL 413), § 308-11-001, filed 11/9/82.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-11-030.
308-11-010	Definitions. [Statutory Authority: RCW 18.11.120 and 18.11.200. 85-03-045 (Order PL 506), § 308-11-010, filed 1/11/85. Statutory Authority: RCW 42.24.085 [43.24.085], 1982 c 205, §§ 3, 9, 10 and 18. 82-23-023 (Order PL 413), § 308-11-010, filed 11/9/82.] Repealed by 98-16-061, filed 8/3/98, effective 9/3/98. Statutory Authority: RCW 18.11.060, 43.24.086 and 43.135.055.
308-11-040	Application for license as auctioneer. [Statutory Authority: RCW 42.24.085 [43.24.085], 1982 c 205, §§ 3, 9, 10 and 18. 82-23-023 (Order PL 413), § 308-11-040, filed 11/9/82.] Repealed by 86-21-127 (Order PM 622), filed 10/22/86. Statutory Authority: RCW 18.11.200.
308-11-080	Trainee auctioneer. [Statutory Authority: RCW 42.24.085 [43.24.085], 1982 c 205, §§ 3, 9, 10 and 18. 82-23-023 (Order PL 413), § 308-11-080, filed 11/9/82.] Repealed by 86-21-127 (Order PM 622), filed 10/22/86. Statutory Authority: RCW 18.11.200.
308-11-140	Application of brief adjudicative proceedings. [Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-046, § 308-11-140, filed 5/1/97, effective 6/1/97.] Repealed by 06-10-007, filed 4/20/06, effective 5/21/06. Statutory Authority: RCW 18.11.200. Later promulgation, see chapter 308-08 WAC.
308-11-150	Preliminary record in brief adjudicative proceedings. [Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-046, § 308-11-150, filed 5/1/97, effective 6/1/97.] Repealed by 06-10-007, filed 4/20/06, effective 5/21/06. Statutory Authority: RCW 18.11.200. Later promulgation, see chapter 308-08 WAC.
308-11-160	Conduct of brief adjudicative proceedings. [Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-046, § 308-11-160, filed 5/1/97, effective 6/1/97.] Repealed by 06-10-007, filed 4/20/06, effective 5/21/06. Statutory Authority: RCW 18.11.200. Later promulgation, see chapter 308-08 WAC.

WAC 308-11-030 Auctioneer fees. The following fees shall be charged by the business and professions division of the department of licensing:

Title of Fee	Fee
Auctioneer:	
Initial application	\$100.00
Renewal	85.00
Late renewal penalty	75.00

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Title of Fee	Fee
Duplicate license	15.00
Certification	25.00

Auction company:

Initial application	200.00
Renewal	175.00
Late renewal penalty	100.00
Duplicate license	15.00

[Statutory Authority: RCW 18.11.060, 43.24.086, 43.24.023. 04-17-074, § 308-11-030, filed 8/13/04, effective 10/1/04. Statutory Authority: RCW 18.11.060, 43.24.086 and 43.135.055. 98-16-061, § 308-11-030, filed 8/3/98, effective 9/3/98. Statutory Authority: RCW 43.24.086. 90-06-052, § 308-11-030, filed 3/2/90, effective 4/2/90; 87-10-028 (Order PM 650), § 308-11-030, filed 5/1/87. Statutory Authority: RCW 18.11.060. 86-21-127 (Order PM 622), § 308-11-030, filed 10/22/86. Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-11-030, filed 8/10/83. Formerly WAC 308-11-001.]

WAC 308-11-035 Renewal of registration. (1) An auctioneer license will be issued to an applicant, provided all requirements are met for licensure. An auctioneer license will expire one year from the date of issuance.

(2) An auction company license will be issued, provided all requirements are met for licensure. The auction company license will expire one year from the date of issuance.

(3) An application for a license renewal received after the date of expiration will require the payment of the penalty fee in addition to the renewal fee.

[Statutory Authority: RCW 18.11.060, 43.24.086 and 43.135.055. 98-16-061, § 308-11-035, filed 8/3/98, effective 9/3/98. Statutory Authority: RCW 18.11.060 and 18.11.200. 88-01-122 (Order PM 701), § 308-11-035, filed 12/23/87. Statutory Authority: RCW 18.11.200. 86-21-127 (Order PM 622), § 308-11-035, filed 10/22/86.]

WAC 308-11-050 Surety bond or other security in lieu of bond required. (1) As required by chapter 18.11 RCW, the amount of the surety bond or other security in lieu of the bond to be filed and maintained for an auctioneer license shall be five thousand dollars.

(2) The amount of the surety bond or other security in lieu of the bond to be filed and maintained for an auction company license shall be based upon the value of the gross sales during the previous calendar year according to the following scale:

GROSS SALES			BOND/SECURITY AMOUNT
\$ 0.00	to	\$ 24,999.99	\$ 5,000.00
\$ 25,000.00	to	\$ 49,999.99	\$ 10,000.00
\$ 50,000.00	to	\$ 99,999.99	\$ 15,000.00
\$ 100,000.00	to	\$ 499,999.99	\$ 20,000.00
\$ 500,000.00	&	Above	\$ 25,000.00

(3) All auction companies upon application or with license renewal, shall submit a financial certification affidavit on forms provided by the department.

(4) Each licensee must maintain such a surety bond, or other security in lieu of a bond, in an active status at all times during the period of licensure.

[Statutory Authority: RCW 18.11.060, 43.24.086 and 43.135.055. 98-16-061, § 308-11-050, filed 8/3/98, effective 9/3/98. Statutory Authority: RCW 18.11.121 and 18.11.200. 88-23-034 (Order PM 766), § 308-11-050, filed 11/9/88. Statutory Authority: RCW 18.11.200. 86-21-127 (Order PM 622), § 308-11-050, filed 10/22/86. Statutory Authority: RCW 18.11.120 and 18.11.200. 85-03-045 (Order PL 506), § 308-11-050, filed 1/11/85. Statutory

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Authority: RCW 42.24.085 [43.24.085], 1982 c 205, §§ 3, 9, 10 and 18. 82-23-023 (Order PL 413), § 308-11-050, filed 11/9/82.]

WAC 308-11-060 Advance notice of cancellation or termination required. No cancellation of any surety bond or other security used in lieu of a surety bond, shall be effective unless the department of licensing and the licensee shall have first been given thirty days advance written notice of the cancellation or termination with the reason for the cancellation or termination: Provided, That no such notice shall be required when the termination of the bond or other security used in lieu of the bond is due to the expiration or revocation of the subject license.

[Statutory Authority: RCW 18.11.200. 86-21-127 (Order PM 622), § 308-11-060, filed 10/22/86. Statutory Authority: RCW 42.24.085 [43.24.085], 1982 c 205, §§ 3, 9, 10 and 18. 82-23-023 (Order PL 413), § 308-11-060, filed 11/9/82.]

WAC 308-11-100 Records. The following requirements and prohibitions apply to all records and documents required to be maintained by chapter 18.11 RCW, or in these rules:

- (1) They shall be maintained in accordance with generally accepted accounting practices.
- (2) No person shall make any false or misleading statement, or make any false or misleading entry, or wilfully fail to make any entry required to be maintained or made, in any such record or document.
- (3) No person shall wilfully fail to produce any such record or document for inspection by the department.
- (4) The minimum required records are as follows:
 - (a) Bank trust account records;
 - (b) Duplicate receipt book or receipt journal;
 - (c) Prenumbered checks;
 - (d) Check register or cash disbursement journal;
 - (e) Validated bank deposit slips;
 - (f) Reconciled bank monthly statement (client liability vs bank statement);
 - (g) All cancelled checks;
 - (h) All voided checks;
 - (i) Client's ledger card which indicates client's name, dates of transactions, amount received, amount disbursed, current balance, check number, receipt number, and item(s) covered;
 - (j) A transaction folder or file containing a copy of all agreements and related correspondence for each transaction;
 - (k) The above minimum records shall be maintained for a minimum period of three years.

[Statutory Authority: RCW 18.11.200. 92-13-045, § 308-11-100, filed 6/11/92, effective 7/12/92; 87-21-011 (Order PM 686), § 308-11-100, filed 10/9/87. Statutory Authority: RCW 18.11.120 and 18.11.200. 85-03-045 (Order PL 506), § 308-11-100, filed 1/11/85. Statutory Authority: RCW 42.24.085 [43.24.085], 1982 c 205, §§ 3, 9, 10 and 18. 82-23-023 (Order PL 413), § 308-11-100, filed 11/9/82.]

WAC 308-11-120 Inspection and audit. The following shall be subject to inspection and audit at any reasonable time, with or without notice upon demand by the department:

- (1) All records required to be maintained by an auctioneer by chapter 18.11 RCW, or WAC 308-11-100;
- (2) Other business or other types of records of the auctioneer or auction company which may be related to activity

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as an auctioneer or auction company or necessary to understand such records;

(3) Any auction mart or other premise used to conduct an auction;

(4) Any personal property which may be the subject of, or related to, an auction.

(5) Records not physically present upon the premises at the time the demand is made shall be procured and produced to the department within twenty-four hours, or within a time approved by the department;

(6) Records physically present upon the premises at the time demand is made shall be inspected or audited at any reasonable time which shall be between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

[Statutory Authority: RCW 18.11.060, 43.24.086 and 43.135.055. 98-16-061, § 308-11-120, filed 8/3/98, effective 9/3/98. Statutory Authority: RCW 18.11.120 and 18.11.200. 85-03-045 (Order PL 506), § 308-11-120, filed 1/11/85. Statutory Authority: RCW 42.24.085 [43.24.085], 1982 c 205, §§ 3, 9, 10 and 18. 82-23-023 (Order PL 413), § 308-11-120, filed 11/9/82.]

WAC 308-11-130 Suit or complaint notification.

Every licensee shall, within thirty days after service or knowledge of, notify the department of any suit or complaint served or filed in any court of competent jurisdiction, civil or criminal, in which the subject matter involves any auction or business activity of the defendant; and in which the subject matter thereof, involves any auction or business activity of the defendants therein named. The department address is Business and Professions Division, Auctioneer Section, PO Box 9649, Olympia, Washington 98507-9649. Complaints against others may also be sent to the above address.

[Statutory Authority: RCW 18.11.060, 43.24.086 and 43.135.055. 98-16-061, § 308-11-130, filed 8/3/98, effective 9/3/98. Statutory Authority: RCW 18.11.200. 92-13-045, § 308-11-130, filed 6/11/92, effective 7/12/92.]

Chapter 308-12 WAC ARCHITECTS

WAC

308-12-010	State board of registration.
308-12-025	Application for examination.
308-12-031	Registration examination.
308-12-040	Appeal of examinations.
308-12-050	Registration by reciprocity.
308-12-080	Approved schools of architecture.
308-12-081	The seal.
308-12-085	Corporations or joint stock associations.
308-12-115	Definitions.
308-12-150	Work experience defined.
308-12-210	Application of brief adjudicative proceedings.
308-12-220	Preliminary record in brief adjudicative proceedings.
308-12-230	Conduct of brief adjudicative proceedings.
308-12-240	Reinstatement of suspended certificates, eligibility for registration, or denied renewals.
308-12-320	Renewal of licenses.
308-12-326	Architect fees.

RULES OF PROFESSIONAL PRACTICE

308-12-330	Rules of professional practice.
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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-12-015	Powers and duties of the board. [Rule 5, filed 10/26/62.] Repealed by Order PL-132, filed 9/25/72.
308-12-020	Qualifications for examination. [Rule 6, filed 10/26/62; amended by filing dated 11/19/64.] Repealed by Order PL-132, filed 9/25/72.

308-12-030 Examinations. [Statutory Authority: RCW 18.08.130. 79-01-058 (Order PL-294), § 308-12-030, filed 12/27/78; Order PL 205, § 308-12-030, filed 11/5/75; Order PL 178, § 308-12-030, filed 10/23/74; Order PL-132, § 308-12-030, filed 9/25/72; Rule 7, filed 10/26/62; amended by filing date 11/19/64.] Repealed by 83-04-071 (Order PL 422), filed 2/2/83. Statutory Authority: RCW 18.08.130.

308-12-060 Certificate, seals. [Rule 10, filed 10/26/62.] Repealed by Order PL-132, filed 9/25/72.

308-12-070 Withdrawal of registrant. [Rule 11, filed 10/26/62.] Repealed by Order PL-132, filed 9/25/72.

308-12-082 Corporate practice. [Statutory Authority: RCW 18.08.130. 83-04-071 (Order PL 422), § 308-12-082, filed 2/2/83.] Repealed by 85-21-065 (Order PL 560), filed 10/17/85. Statutory Authority: 1985 c 37 § 5.

308-12-083 Identification of registrant. [Statutory Authority: RCW 18.08.420 and 18.08.310. 87-19-095 (Order PM 676), § 308-12-083, filed 9/17/87.] Repealed by 95-04-080, filed 1/31/95, effective 3/3/95. Statutory Authority: RCW 18.08.340.

308-12-090 Equivalents for education, training and experience. [Order PL 178, § 308-12-090, filed 10/23/74; Order PL-132, § 308-12-090, filed 9/25/72.] Repealed by 79-01-058 (Order PL-294), filed 12/27/78. Statutory Authority: RCW 18.08.130.

308-12-100 Transition to new examination. [Order PL 178, § 308-12-100, filed 10/23/74; Order PL-132, § 308-12-100, filed 9/25/72.] Repealed by 79-01-058 (Order PL-294), filed 12/27/78. Statutory Authority: RCW 18.08.130.

308-12-110 Architect listings. [Statutory Authority: RCW 18.08.130. 85-05-010 (Order PL 517), § 308-12-110, filed 2/11/85; 84-04-028 (Order PL 458), § 308-12-110, filed 1/25/84; 83-04-071 (Order PL 422), § 308-12-110, filed 2/2/83; Order PL 178, § 308-12-110, filed 10/23/74; Order PL-132, § 308-12-110, filed 9/25/72.] Repealed by 85-21-065 (Order PL 560), filed 10/17/85. Statutory Authority: 1985 c 37 § 5.

308-12-120 Definition of principal. [Statutory Authority: RCW 18.08.130. 83-04-071 (Order PL 422), § 308-12-120, filed 2/2/83; 79-01-058 (Order PL-294), § 308-12-120, filed 12/27/78; Order PL 178, § 308-12-120, filed 10/23/74.] Repealed by 85-21-065 (Order PL 560), filed 10/17/85. Statutory Authority: 1985 c 37 § 5.

308-12-130 Definition of supervision. [Statutory Authority: RCW 18.08.130. 83-04-071 (Order PL 422), § 308-12-130, filed 2/2/83; 79-01-058 (Order PL-294), § 308-12-130, filed 12/27/78; Order PL 178, § 308-12-130, filed 10/23/74.] Repealed by 85-21-065 (Order PL 560), filed 10/17/85. Statutory Authority: 1985 c 37 § 5.

308-12-140 Examination—Qualifications of candidates. [Statutory Authority: RCW 18.08.340 and 18.08.350 (3)(a). 86-04-088 (Order PL 579), § 308-12-140, filed 2/5/86.] Repealed by 97-03-121, filed 1/21/97, effective 2/21/97. Statutory Authority: RCW 18.08.360(2).

308-12-145 Acceptable work experience. [Statutory Authority: RCW 18.08.340 and 18.08.350 (3)(a). 86-04-088 (Order PL 579), § 308-12-145, filed 2/5/86.] Repealed by 97-03-121, filed 1/21/97, effective 2/21/97. Statutory Authority: RCW 18.08.350(2).

308-12-300 Registration renewal fee. [Order PL 205, § 308-12-300, filed 11/5/75; Order PL 163, § 308-12-300, filed 3/18/74.] Repealed by 81-18-044 (Order PL 383), filed 8/28/81. Statutory Authority: RCW 43.24.085.

308-12-310 Fees. [Order PL 205, § 308-12-310, filed 11/5/75.] Repealed by 79-01-058 (Order PL-294), filed 12/27/78. Statutory Authority: RCW 18.08.130.

308-12-311 Fees. [Statutory Authority: RCW 43.24.085. 81-18-044 (Order PL 383), § 308-12-311, filed 8/28/81; 79-04-024 (Order PL-300), § 308-12-311, filed 3/21/79.] Repealed by 83-05-006 (Order PL 425), filed 2/3/83. Statutory Authority: RCW 18.08.130.

308-12-312 Fees. [Statutory Authority: RCW 18.08.130. 83-05-006 (Order PL 425), § 308-12-312, filed 2/3/83.] Repealed by 87-10-028 (Order PM 650), filed 5/1/87. Statutory Authority: RCW 43.24.086.

308-12-321 Competence. [Statutory Authority: RCW 18.08.340. 00-20-062, § 308-12-321, filed 10/2/00, effective 11/2/00. Statutory Authority: 1985 c 37 § 5. 85-21-065 (Order PL 560), § 308-12-321, filed 10/17/85.] Repealed by 02-11-082, filed 5/14/02, effective 6/14/02. Statutory Authority: RCW 18.08.340.

308-12-322 Conflict of interest. [Statutory Authority: RCW 18.08.340. 00-20-062, § 308-12-322, filed 10/2/00,

effective 11/2/00. Statutory Authority: 1985 c 37 § 5. 85-21-065 (Order PL 560), § 308-12-322, filed 10/17/85.] Repealed by 02-11-082, filed 5/14/02, effective 6/14/02. Statutory Authority: RCW 18.08.340.

308-12-323 Full disclosure. [Statutory Authority: RCW 18.08.340. 00-20-062, § 308-12-323, filed 10/2/00, effective 11/2/00. Statutory Authority: 1985 c 37 § 5. 85-21-065 (Order PL 560), § 308-12-323, filed 10/17/85.] Repealed by 02-11-082, filed 5/14/02, effective 6/14/02. Statutory Authority: RCW 18.08.340.

308-12-324 Compliance with laws. [Statutory Authority: RCW 18.08.340. 00-20-062, § 308-12-324, filed 10/2/00, effective 11/2/00; 97-03-121, § 308-12-324, filed 1/21/97, effective 2/21/97. Statutory Authority: 1985 c 37 § 5. 85-21-065 (Order PL 560), § 308-12-324, filed 10/17/85.] Repealed by 02-11-082, filed 5/14/02, effective 6/14/02. Statutory Authority: RCW 18.08.340.

308-12-325 Professional conduct. [Statutory Authority: RCW 18.08.340. 00-20-062, § 308-12-325, filed 10/2/00, effective 11/2/00. Statutory Authority: 1985 c 37 § 5. 85-21-065 (Order PL 560), § 308-12-325, filed 10/17/85.] Repealed by 02-11-082, filed 5/14/02, effective 6/14/02. Statutory Authority: RCW 18.08.340.

WAC 308-12-010 State board of registration. (1)

Meetings: The Washington state board of registration for architects, hereafter called the board, shall hold its regular public meeting annually in September. Additional public meetings may be held at such times and places as the board may deem necessary. Notice of all public meetings will be issued as required by the Open Public Meetings Act, chapter 42.30 RCW.

Executive sessions may be held by the board in conjunction with all public meetings, and at such other times as the board shall deem necessary and for the primary purpose of preparing and grading examinations, approving applications, conducting written and oral examinations, examining reciprocity applications, and acting on applications for reinstatement of revoked licenses, and confidential matters between candidates or registrants and the board.

(2) Rules of order. The latest edition of *Robert's Rules of Order* will govern the conduct of business at meetings and sessions of the board.

(3) Officers. At the regular annual public meeting the board will elect a chair, a vice-chair and a secretary for the ensuing year.

(4) Quorum. A quorum at any regular or additional meeting or session will consist of four members of the board.

(5) Rule changes. Prior to and during any adoption, amendments, or repeal of any rule, the board of registration will conduct its business in accordance with chapter 34.04 RCW the Administrative Procedure Act.

(6) Web site. The board will post current applicant and licensee names in addition to other licensing information on the web site.

[Statutory Authority: RCW 18.08.340. 02-11-082, § 308-12-010, filed 5/14/02, effective 6/14/02. Statutory Authority: 1985 c 37 § 5. 85-21-065 (Order PL 560), § 308-12-010, filed 10/17/85. Statutory Authority: RCW 18.08.130. 83-04-071 (Order PL 422), § 308-12-010, filed 2/2/83; Order PL-132, § 308-12-010, filed 9/25/72; filed 4/28/67; Rule 1, filed 11/19/64; Rules 2, 4, filed 10/26/62; Rule 1, filed 10/26/62.]

WAC 308-12-025 Application for examination. (1)

The application to begin the examination process must be submitted on forms approved by the board, accompanied by academic and/or practical experience verification to document eligibility under the provisions of RCW 18.08.350.

(2) The board has adopted the National Council of Architectural Registration Boards (NCARB) intern development training program (IDP training requirement) as the board approved structured intern training program. Completion of the training requirements of the intern development program must be validated by the NCARB in a council training record sent to the board office. Completion of the training requirements of the IDP is the equivalent of three years of practical work experience.

(3) Applications for the examination must be accompanied by the application fee for the examination as established by the director and published in chapter 308-12 WAC, architect fees. The application fee to begin the examination process will not be refunded.

[Statutory Authority: RCW 18.08.340. 98-20-061, § 308-12-025, filed 10/2/98, effective 11/2/98. Statutory Authority: RCW 18.08.350(2). 97-03-121, § 308-12-025, filed 1/21/97, effective 2/21/97. Statutory Authority: RCW 18.08.340. 95-04-080, § 308-12-025, filed 1/31/95, effective 3/3/95. Statutory Authority: RCW 18.08.360. 89-17-038 (Order PM 857), § 308-12-025, filed 8/10/89, effective 9/10/89. Statutory Authority: 1985 c 37 § 5. 85-21-065 (Order PL 560), § 308-12-025, filed 10/17/85.]

WAC 308-12-031 Registration examination. The board adopts the N.C.A.R.B. Architect Registration Examination (A.R.E.) as the examination required of applicants. Where RCW 18.08.360 refers to the "entire examination," it means the NCARB A.R.E. together with the oral examination.

The board adopts the grading procedures prepared by the NCARB.

(1) The test vendor will publish an information guide concerning examination content, locations, schedules, and fees.

(2) An applicant must pass each division of the NCARB examination.

(3) The oral examination is given upon the applicant's completion of the NCARB examination.

The purpose of the oral examination is to test in those areas of knowledge and skill not covered in the NCARB examination.

The oral part of the examination must include a review of the applicant's practical experience, an understanding of the law and the responsibility to safeguard life, health, and property and to promote the public welfare.

The oral examination may be conducted by the full board or by an architect member of the board. The board may set aside the full board examination if the examining board member deems the applicant prepared for registration. If the full board examination is not set aside or if the examining board member fails the applicant, the applicant must then appear for a full board oral examination.

The board may set aside the entire oral examination based upon certification by the NCARB of successful completion of the intern development program. Such applicants shall submit the NCARB Council Record of IDP completion. However, candidates without a National Architectural Accrediting Board degree who have completed the IDP training requirements must have an oral examination. The decision to set aside the oral examination does not affect the requirement to summarize the law and rules pertaining to architecture.

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An applicant must successfully complete the entire examination within a five-year period. The five-year period will begin with the month an applicant passes the first division of the examination. Passing scores for any division of the examination may be carried forward for a period of five years from the date the applicant passed that division of the examination. Applicants must retake any division of the examination which was passed more than five years previously, along with any division of the examination not yet passed. The oral examination is part of the entire examination and shall be completed within the five-year period.

[Statutory Authority: RCW 18.08.340. 02-11-082, § 308-12-031, filed 5/14/02, effective 6/14/02. Statutory Authority: RCW 18.08.360(2). 97-03-121, § 308-12-031, filed 1/21/97, effective 2/21/97. Statutory Authority: RCW 18.08.340 and 18.08.360. 90-11-062, § 308-12-031, filed 5/15/90, effective 6/15/90. Statutory Authority: RCW 18.08.360. 89-17-038 (Order PM 857), § 308-12-031, filed 8/10/89, effective 9/10/89; 88-17-085 (Order PM 767), § 308-12-031, filed 8/22/88. Statutory Authority: RCW 18.08.340 and 18.08.360. 88-01-035 (Order PM 694), § 308-12-031, filed 12/11/87. Statutory Authority: 1985 c 37 § 5. 85-21-065 (Order PL 560), § 308-12-031, filed 10/17/85. Statutory Authority: RCW 18.08.130. 85-05-010 (Order PL 517), § 308-12-031, filed 2/11/85; 84-04-028 (Order PL 458), § 308-12-031, filed 1/25/84; 83-04-071 (Order PL 422), § 308-12-031, filed 2/2/83.]

WAC 308-12-040 Appeal of examinations. The board adopts the grading procedures as established by the NCARB. No appeal of failing scores will be accepted by the department or the board.

[Statutory Authority: RCW 18.08.360(2). 97-03-121, § 308-12-040, filed 1/21/97, effective 2/21/97. Statutory Authority: RCW 18.08.360. 89-12-052 (Order PM 843), § 308-12-040, filed 6/5/89. Statutory Authority: RCW 18.08.130. 85-05-010 (Order PL 517), § 308-12-040, filed 2/11/85; 83-04-071 (Order PL 422), § 308-12-040, filed 2/2/83; Order PL 178, § 308-12-040, filed 10/23/74; Order PL-132, § 308-12-040, filed 9/25/72; Rule 8, filed 10/26/62.]

WAC 308-12-050 Registration by reciprocity. Pursuant to RCW 18.08.400, the board will recommend to the director that the director grant a certificate of registration to a currently registered architect in any jurisdiction recognized by NCARB provided:

(1) That such applicant presents evidence that the applicant has satisfactorily completed an examination equivalent to the examination required of Washington state registrants. Documentation of NCARB certification may be accepted by the board as satisfactory evidence that the applicant's qualifications and experience are equivalent to the qualifications and experience required of a person registered under RCW 18.08.350. Reciprocity candidates who cannot meet the IDP training requirement must have a minimum of two years of experience as a licensed architect.

(2) That the applicant provides a typed summary analysis of chapter 18.08 RCW and chapter 308-12 WAC. The summary must include an analysis of each section of chapter 18.08 RCW and chapter 308-12 WAC in sufficient detail to demonstrate a thorough understanding of the law and rules as determined by the board.

(3) That the board will require an oral interview of any candidate for registration by reciprocity, except that the oral interview may be set aside in cases where documentary or other evidence shows sufficient information for the board to reach judgment.

(4) That the architect's current state license is not delinquent or inactive. The current state license cannot be under

suspension, disciplinary restrictions, or in process of disciplinary review. Reciprocity applicants are held to the same qualifications as initial applicants for registration.

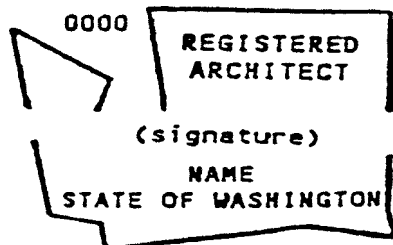
[Statutory Authority: RCW 18.08.340. 02-11-082, § 308-12-050, filed 5/14/02, effective 6/14/02; 97-03-121, § 308-12-050, filed 1/21/97, effective 2/21/97. Statutory Authority: RCW 18.08.360. 89-17-038 (Order PM 857), § 308-12-050, filed 8/10/89, effective 9/10/89. Statutory Authority: RCW 18.08.340(1) and 18.08.400. 88-09-066 (Order PM 720), § 308-12-050, filed 4/20/88. Statutory Authority: RCW 18.08.340 and 18.08.350 (3)(a). 86-04-088 (Order PL 579), § 308-12-050, filed 2/5/86. Statutory Authority: 1985 c 37 § 5. 85-21-065 (Order PL 560), § 308-12-050, filed 10/17/85. Statutory Authority: RCW 18.08.130. 85-05-010 (Order PL 517), § 308-12-050, filed 2/11/85; 84-04-028 (Order PL 458), § 308-12-050, filed 1/25/84; 83-04-071 (Order PL 422), § 308-12-050, filed 2/2/83; Order PL-132, § 308-12-050, filed 9/25/72; Order 691102, § 308-12-050, filed 11/26/69; Rule 9, filed 11/19/64, 10/26/62.]

WAC 308-12-080 Approved schools of architecture.

The board adopts the current *List of Accredited Schools of Architecture* as published by the National Architectural Accrediting Board.

[Statutory Authority: 1985 c 37 § 5. 85-21-065 (Order PL 560), § 308-12-080, filed 10/17/85. Statutory Authority: RCW 18.08.130. 83-04-071 (Order PL 422), § 308-12-080, filed 2/2/83; 79-01-058 (Order PL-294), § 308-12-080, filed 12/27/78; Order PL 178, § 308-12-080, filed 10/23/74; Order PL-132, § 308-12-080, filed 9/25/72.]

WAC 308-12-081 The seal. Every architect licensed in the state of Washington shall have a seal of design authorized by the board, bearing the registrant's name, license number and the legend "Registered architect, state of Washington." The seal with the registrant's countersignature must appear on all documents filed for permits for construction with public authorities. A facsimile of the seal appears herewith.



No architect's stamp or countersignature will be affixed to any drawings not prepared by the architect or his or her regularly employed subordinates, or reviewed by the architect. An architect who signs or seals drawings or specifications that he or she has reviewed is responsible to the same extent as if prepared by that architect.

[Statutory Authority: RCW 18.08.340. 02-11-082, § 308-12-081, filed 5/14/02, effective 6/14/02. Statutory Authority: RCW 18.08.340 and 18.08.350 (3)(a). 86-04-088 (Order PL 579), § 308-12-081, filed 2/5/86. Statutory Authority: 1985 c 37 § 5. 85-21-065 (Order PL 560), § 308-12-081, filed 10/17/85. Statutory Authority: RCW 18.08.130. 83-04-071 (Order PL 422), § 308-12-081, filed 2/2/83.]

WAC 308-12-085 Corporations or joint stock associations. (1) For an architect or architects to practice architecture through a corporation or joint stock association organized by any person under Title 23A RCW, the corporation or joint stock association shall file with the board a letter of application containing a statement of the experience of the corporation, if any, in furnishing architectural services during

the preceding five-year period. The application must be signed and attested by a corporate officer.

(2) In addition to the application for certificate of authorization, the corporation or joint stock association will file with the board the documentation and information specified in RCW 18.08.420.

(3) The designated architect responsible for the practice of architecture by said corporation shall be regularly employed in that office having direct knowledge and supervisory control of such work. No individual will be the designated architect at more than one place of business or one company at any one time.

[Statutory Authority: RCW 18.08.340. 02-11-082, § 308-12-085, filed 5/14/02, effective 6/14/02. Statutory Authority: RCW 18.08.420. 87-19-095 (Order PM 676), § 308-12-085, filed 9/17/87. Statutory Authority: 1985 c 37 § 5. 85-21-065 (Order PL 560), § 308-12-085, filed 10/17/85.]

WAC 308-12-115 Definitions. (1) Accredited architectural degree—A professional degree received from the current list of accredited schools of architecture as published by the National Architectural Accrediting Board.

(2) Practical architectural work experience—Practical work experience performing activities involved in the practice of architecture, as defined in RCW 18.08.320, under the direct supervision of an architect. The board may approve similar practical work experience for full or partial credit and will accept intern development program experience as defined in the IDP training guidelines.

(3) Intern development program (IDP)—A structured internship training program designed to provide a profession-wide, comprehensive program that contributes to the development of competent architects. IDP consists of training requirements that must be satisfied in order to complete the program. The National Council of Architectural Registration Boards (NCARB) maintains and validates the continuing, comprehensive record of internship training.

(4) Supervision—The word "supervision" in RCW 18.08.320 means the periodic observation of materials and work in progress or completed work to observe the general compliance with plans, specifications, and design and planning concepts, and does not include responsibility for the superintendence of construction processes, site conditions, operations equipment, personnel, maintenance of a safe place to work, or any safety in, on, or about the site of the work.

(5) Principal—The word "principal" as used herein shall mean an architect who is registered in this state and is the person in charge of the architectural practice, either alone or in concert with others who qualify as herein described, and:

- (a) Who is a shareholder, if the practice is through a professional service corporation; or
- (b) A partner if the practice is through a partnership; or
- (c) The proprietor if the practice is through a proprietorship; or
- (d) The designated architect of a stock corporation.

(6) Direct supervision—The phrase, "under the direct supervision of an architect" as used in connection with architectural work experience for qualification and eligibility for the examination shall refer to any of the following conditions or situations.

(a) The supervising architect is an employer who is knowledgeable of the performance and competence of the applicant.

(b) The supervising architect works for the same employer as the applicant, and is either the direct superior of the applicant, or a co-worker knowledgeable and responsible for the efforts of the applicant.

(7) Design-build—A means of providing design and construction services in which a single entity is responsible for both services.

(8) Review—A continuous process of examination, evaluation, and direction throughout the development of the documents, which includes the ability to control the final product.

(9) Construction-related experience—Work on a construction site in any of the construction-related trades, including, but not limited to, carpentry, laboring, electrical, plumbing, sheet metal and roofing. Work in the construction office, including, but not limited to, estimating or construction administration.

[Statutory Authority: RCW 18.08.340, 02-11-082, § 308-12-115, filed 5/14/02, effective 6/14/02; 98-20-061, § 308-12-115, filed 10/2/98, effective 11/2/98; 91-12-061, § 308-12-115, filed 6/5/91, effective 7/6/91. Statutory Authority: RCW 18.08.320, 87-19-095 (Order PM 676), § 308-12-115, filed 9/17/87. Statutory Authority: 1985 c 37 § 5, 85-21-065 (Order PL 560), § 308-12-115, filed 10/17/85.]

WAC 308-12-150 Work experience defined. (1) In order to receive credit from the board for full-time practical architectural work experience, the applicant must be employed for at least thirty-five hours per week for a minimum of ten consecutive weeks.

(2) In order to receive credit from the board for part-time practical architectural work experience, the applicant must be employed for at least twenty hours per week in periods of six or more consecutive months.

(3) In order to receive credit from the board for full-time or part-time construction-related experience, the applicant must be employed for at least thirty-five hours per week of full-time work or twenty hours per week of part-time work, in periods of one or more months. Applicants will be granted work experience credit at half the rate, for a maximum of twelve months (e.g., an applicant with twenty-four months of construction-related experience will be granted a maximum of twelve months).

(4) If the applicant is certified by the National Council of Architectural Registration Boards (NCARB) as having successfully completed the architectural Intern Development Program, such work experience may be used in lieu of subsections (1) and (2) of this section, to satisfy the work experience requirements of RCW 18.08.350.

(5) Work experience may be accrued simultaneously while educational credit is being accrued.

[Statutory Authority: RCW 18.08.340, 02-11-082, § 308-12-150, filed 5/14/02, effective 6/14/02. Statutory Authority: RCW 18.08.350, 87-19-095 (Order PM 676), § 308-12-150, filed 9/17/87. Statutory Authority: RCW 18.08.340 and 18.08.350 (3)(a), 86-04-088 (Order PL 579), § 308-12-150, filed 2/5/86.]

WAC 308-12-210 Application of brief adjudicative proceedings. The board adopts RCW 34.05.482 through 34.05.494 for the administration of brief adjudicative pro-

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ceedings conducted by request pursuant to subsection (1) below or at the discretion of the board chair pursuant to RCW 34.05.482.

(1) If an adjudicative proceeding is requested, a brief adjudicative proceeding will be conducted where the matter involves one or more of the following issues:

(a) A determination whether an applicant meets the qualifications for a certificate of registration or certificate of authorization to practice architecture in this state and the board proposes to deny the application;

(b) A determination if an applicant for a certificate of registration to practice architecture in this state is eligible to begin the examination, continue the examination if already in the examination process, or to complete the examination;

(c) A determination whether a person or organization is in compliance with the terms and conditions of a final order previously issued by the board; or,

(d) A determination whether a certificate holder or an applicant for examination, certification or certificate renewal has been certified by a lending agency and reported for nonpayment or default on a federally or state-guaranteed student loan or service conditional scholarship.

(2) Brief adjudicative proceedings under subsection (1) will be limited to consideration of the following issues:

(a) In proceedings under subsections (1)(a) and (b) above, the sole issue to be considered at the hearing is whether the documentation submitted by an applicant for issuance or renewal of a certificate of registration or certificate of authorization to practice architecture in this state, or examination meets the requirements for issuance, or renewal of a certificate or to take the examination for a certificate.

(b) In proceedings under subsection (1)(c) above, the sole issue to be considered at the hearing is whether the documentation submitted indicates that a person or organization is in compliance with the terms and conditions of a final order previously issued by the board.

(c) In proceedings under subsection (1)(d) above, the issues to be considered at the hearing are: (i) whether the person has been correctly certified by a lending agency and reported to the board for nonpayment or default on a federally or state-guaranteed educational loan or service-conditional scholarship and (ii) is in a state of nonpayment or default at the time of the brief adjudicative proceeding.

[Statutory Authority: RCW 18.08.340, 02-11-082, § 308-12-210, filed 5/14/02, effective 6/14/02; 97-03-121, § 308-12-210, filed 1/21/97, effective 2/21/97.]

WAC 308-12-220 Preliminary record in brief adjudicative proceedings. (1) The preliminary record with respect to an application for a license or to begin or continue the examination must consist of:

(a) The application for the license or examination and all associated documents; and

(b) All documents relied upon by the program in proposing to deny the application; and

(c) All correspondence between the applicant for license or approval and the program regarding the application.

(2) The preliminary record with respect to determination of compliance with a previously issued final order or agreement must consist of:

(a) The previously issued final order or agreement; and

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(b) All reports or other documents submitted by the license holder, or at the direction of the license holder, in full or partial fulfillment of the terms of the final order; and

(c) All correspondence between the license holder and the program regarding compliance with the final order or agreement.

(d) All documents relied upon by the program that the license holder has failed to comply with the previously issued final order or agreement.

(3) The preliminary record for determination of nonpayment or default by the license holder on a federally or state-guaranteed student loan or service-conditional scholarship shall consist of:

(a) Certification and report by the lending agency that the identified person is in default or nonpayment on a federally or state-guaranteed student loan or service-conditional scholarship; or

(b) A written release, if any, issued by the lending agency stating that the person is making payment on the loan in accordance with a repayment agreement approved by the lending agency.

[Statutory Authority: RCW 18.08.340. 02-11-082, § 308-12-220, filed 5/14/02, effective 6/14/02; 97-03-121, § 308-12-220, filed 1/21/97, effective 2/21/97.]

WAC 308-12-230 Conduct of brief adjudicative proceedings. (1) Brief adjudicative proceedings shall be conducted by a presiding officer appointed by the current board chair in accordance with RCW 34.05.485. The presiding officer for brief adjudicative proceedings shall have agency expertise in the subject matter but must not have personally participated in the decision to issue the initiating document.

(2) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceedings shall designate the date by which written documents must be submitted by the parties.

(3) The presiding officer for brief adjudicative proceedings may, at his or her discretion, entertain oral argument from the parties or their representatives.

(4) No witnesses may appear to testify.

(5) In addition to the record, the presiding officer for brief adjudicative proceedings may employ agency expertise as a basis for decision.

(6) The presiding officer for brief adjudicative proceedings will not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer for brief adjudicative proceedings will enter an initial written order.

[Statutory Authority: RCW 18.08.340. 02-11-082, § 308-12-230, filed 5/14/02, effective 6/14/02; 97-03-121, § 308-12-230, filed 1/21/97, effective 2/21/97.]

WAC 308-12-240 Reinstatement of suspended certificates, eligibility for registration, or denied renewals. Where a person's certificate of registration has been suspended, an applicant has been denied certificate renewal, or an applicant has been denied the ability to take the examination for certificate of registration due to nonpayment or default on a federally or state-guaranteed educational loan or service-conditional scholarship, the certificate renewal or examination application will be reinstated when the person

provides the board a written release issued by the lending agency stating that the person is making payments on the loan in accordance with a repayment agreement approved by the lending agency, provided, the person shall pay any applicable reinstatement or renewal fee.

[Statutory Authority: RCW 18.08.340. 02-11-082, § 308-12-240, filed 5/14/02, effective 6/14/02; 97-03-121, § 308-12-240, filed 1/21/97, effective 2/21/97.]

WAC 308-12-320 Renewal of licenses. (1) The license renewal date for architects will be the architect's birth date. Licensees who fail to pay the license renewal fee within thirty days of license expiration date will be subject to the late payment penalty fee as set forth in RCW 18.08.430 and WAC 308-12-326. Architects whose renewal fees are delinquent will be listed with the state building officials.

(2) The renewal period for architects is two years.

(3) Assessment of delinquent fees will be based on the number of years delinquent multiplied by one-half of the two-year renewal fee or the fee for one year.

(4) A registrant who fails to pay a renewal fee for a period of five years or more may be reinstated upon payment of all delinquent renewal fees and a penalty fee. Assessment of delinquent fees will be based on the number of years delinquent multiplied by one-half of the two-year renewal fee or the fee for one year. In addition to the payment of delinquent fees and a penalty fee the registrant shall submit the following:

(a) A summary of the current law and rules governing architects.

(b) A professional resume of architectural activities during the delinquent period, in sufficient detail to demonstrate to the board maintenance of minimum skills.

(c) A detailed explanation of the circumstances surrounding the reason the license was allowed to expire.

The board may require additional evidence as needed to verify minimum competency and qualifications. The registrant may be required to appear before the board or a representative member thereof where questions of competency remain.

(5) Registrants who withdraw from the practice of architecture, and exceed five years in an inactive status, shall request reinstatement in writing to the board and shall submit the following:

(a) A summary of the current law and rules governing architects.

(b) A professional resume of architectural activities during the delinquent period, in sufficient detail to demonstrate to the board maintenance of minimum skills.

(c) A detailed explanation of the circumstances surrounding the reason the license was in an inactive status for more than five years.

The board may require additional evidence as needed to verify minimum competency and qualifications. The registrant may be required to appear before the board or a representative member thereof where questions of competency remain.

[Statutory Authority: RCW 18.08.340. 02-11-082, § 308-12-320, filed 5/14/02, effective 6/14/02. Statutory Authority: RCW 18.08.430 (1) and (2), 43.24.086 and 43.24.140. 99-08-062, § 308-12-320, filed 4/2/99, effective 5/3/99. Statutory Authority: RCW 18.03.350. 97-06-064, § 308-12-320,

filed 2/27/97, effective 3/30/97. Statutory Authority: RCW 18.08.430. 90-17-097, § 308-12-320, filed 8/21/90, effective 9/21/90. Statutory Authority: RCW 18.08.130. 85-05-010 (Order PL 517), § 308-12-320, filed 2/11/85; 83-04-071 (Order PL 422), § 308-12-320, filed 2/2/83; Order PL 262, § 308-12-320, filed 1/13/77.]

WAC 308-12-326 Architect fees. The following fees shall be charged by the business and professions division of the department of licensing:

Title of Fee	Fee
Examination application	\$100.00
Reciprocity application	390.00
Initial registration	99.00
Oral examination	50.00
Registration renewal (2 years)	99.00
Late renewal	33.00
Certificate replacement	15.00
Duplicate license	15.00
Certification	27.00
Corporations:	
Certificate of authorization	278.00
Certificate of authorization renewal	139.00

[Statutory Authority: RCW 18.08.430 (1) and (2), 43.24.086 and 43.24.140. 99-08-062, § 308-12-326, filed 4/2/99, effective 5/3/99. Statutory Authority: RCW 43.24.086. 98-12-064, § 308-12-326, filed 6/1/98, effective 7/2/98. Statutory Authority: RCW 43.24.086. 97-13-095, § 308-12-326, filed 6/18/97, effective 7/19/97. Statutory Authority: RCW 18.03.350. 97-06-064, § 308-12-326, filed 2/27/97, effective 3/30/97. Statutory Authority: RCW 18.08.340 and 18.08.370. 91-13-055, § 308-12-326, filed 6/14/91, effective 7/15/91. Statutory Authority: RCW 43.24.086. 90-03-032, § 308-12-326, filed 1/12/90, effective 2/12/90; 87-10-028 (Order PM 650), § 308-12-326, filed 5/1/87.]

RULES OF PROFESSIONAL PRACTICE

WAC 308-12-330 Rules of professional practice. (1) Competence.

(a) When practicing architecture, an architect must act with reasonable care and competence, and must apply the technical knowledge and skill which is ordinarily applied by architects of good standing, practicing in the same locality.

(b) When designing a project, an architect must take into account all applicable state and municipal building laws and regulations. An architect may rely on the advice of other professionals (e.g., attorneys, engineers, and other qualified persons) as to the intent and meaning of such regulations. An architect must not knowingly design a project in violation of such laws and regulations.

(c) An architect must perform professional services only when the architect, together with those whom the architect may engage as consultants, are qualified by education, training, and experience in the specific technical areas involved.

(d) No person will be permitted to practice architecture if, in the board's judgment, such person's professional competence is substantially impaired by physical or mental disabilities.

(2) Conflict of interest.

(a) An architect must not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed and agreed to in writing by all interested parties.

(b) The architect must fully disclose in writing to the client or employer the nature of any business association or

direct or indirect financial interest which is substantial enough to influence the architect's judgment in connection with the performance of professional services. If the client or employer objects to such association or financial interest, the architect will either terminate such association or interest or offer to give up the commission or employment.

(c) An architect must not solicit or accept compensation from material or equipment suppliers in return for specifying or endorsing their products.

(d) When acting as the interpreter of building contract documents and the judge of contract performance, an architect must render decisions impartially, favoring neither party to the contract.

(3) Full disclosure.

(a) An architect must disclose any compensation received for making public statements on architectural questions.

(b) An architect must accurately represent qualifications and scope of responsibility to prospective or existing clients or employers for work for which the architect is claiming credit.

(c) In the course of work on a project, if an architect becomes aware of a decision made by the employer or client, against the architect's advice, which violates applicable state or municipal building laws and regulations and which will, in the architect's judgment, materially and adversely affect the safety to the public of the finished project, the architect must:

- (i) Report the decision to the local building inspector or other public official charged with the enforcement of the applicable state or municipal building laws and regulations,
- (ii) Refuse to consent to the decision, and
- (iii) Terminate services on the project when the architect reasonably believes that decisions will be made against the architect's objection.

In the case of a termination in accordance with (c)(iii) of this subsection, the architect shall have no liability to the client or employer because of such termination.

(iv) An architect must not deliberately make a materially false statement or deliberately fail to disclose a material fact in connection with the application for registration or renewal.

(v) An architect must not assist a person in applying for registration when the architect knows the applicant is unqualified in education, training, experience, or character.

(vi) An architect possessing knowledge of a violation of these rules by another architect must report such knowledge to the board.

(4) Compliance with laws.

(a) An architect must not, in the conduct of architectural practice, knowingly violate any state or federal criminal law.

(b) An architect must not offer or make any payment or gift to a government official (whether elected or appointed) with the intent of influencing the official's judgment in connection with a prospective or existing project in which the architect is interested.

(c) An architect must comply with the registration laws and regulations governing his or her professional practice.

(5) Professional conduct.

(a) An office maintained for the purpose of providing architectural services must have an architect resident regularly employed in that office with direct knowledge and supervisory control of such work.

(b) An architect must not offer or provide any gifts, other than gifts of nominal value (including, for example, reasonable entertainment and hospitality), with the intent of influencing the judgment of an existing or prospective client in connection with a project in which the architect is interested.

(c) An architect must not engage in conduct involving fraud or wanton disregard of the rights of others.

[Statutory Authority: RCW 18.08.340. 02-11-082, § 308-12-330, filed 5/14/02, effective 6/14/02.]

Chapter 308-13 WAC

BOARD OF REGISTRATION FOR LANDSCAPE ARCHITECTS

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-13-022	Reexamination. [Statutory Authority: RCW 18.96.060. 85-04-029 (Order PL 511), § 308-13-022, filed 1/31/85.] Repealed by 93-16-009, filed 7/22/93, effective 8/22/93. Statutory Authority: RCW 18.96.060.
308-13-025	Proctoring. [Statutory Authority: RCW 18.96.060 and 18.96.070. 88-15-041 (Order PM 746), § 308-13-025, filed 7/15/88. Statutory Authority: RCW 18.96.060. 85-04-029 (Order PL 511), § 308-13-025, filed 1/31/85.] Repealed by 93-16-009, filed 7/22/93, effective 8/22/93. Statutory Authority: RCW 18.96.060.
308-13-030	Examinations. [Statutory Authority: RCW 18.96.060. 80-05-141 (Order PL-343), § 308-13-030, filed 5/7/80; Order PL 246, § 308-13-030, filed 4/26/76; Order 2472, § 308-13-030, filed 12/16/69.] Repealed by 85-04-029 (Order PL 511), filed 1/31/85. Statutory Authority: RCW 18.96.060.
308-13-035	Qualifications for reexamination. [Order PL-135, § 308-13-035, filed 11/13/72; Order 2472, § 308-13-035, filed 12/16/69.] Repealed by 85-23-045 (Order PL 567), filed 11/18/85. Statutory Authority: RCW 18.96.060.
308-13-041	Appeal of examination score. [Statutory Authority: RCW 18.96.060. 86-16-013 (Order PM 607), § 308-13-041, filed 7/25/86.] Repealed by 92-10-030, filed 4/30/92, effective 5/31/92. Statutory Authority: RCW 18.96.060.
308-13-042	Board procedure on examination grading appeals. [Statutory Authority: RCW 18.96.060. 86-16-013 (Order PM 607), § 308-13-042, filed 7/25/86.] Repealed by 92-10-030, filed 4/30/92, effective 5/31/92. Statutory Authority: RCW 18.96.060.
308-13-060	Registration of exemption. [Order 2472, § 308-13-060, filed 12/16/69.] Repealed by Order PL-135, filed 11/13/72.
308-13-070	Applicant's qualifications. [Order 2472, § 308-13-070, filed 12/16/69.] Repealed by 85-04-029 (Order PL 511), filed 1/31/85. Statutory Authority: RCW 18.96.060.
308-13-080	Certificates, seals. [Statutory Authority: RCW 18.96.060. 80-05-141 (Order PL-343), § 308-13-080, filed 5/7/80; Order 2472, § 308-13-080, filed 12/16/69.]

Repealed by 85-04-029 (Order PL 511), filed 1/31/85. Statutory Authority: RCW 18.96.060.

308-13-090 Withdrawal of registrant. [Order 2472, § 308-13-090, filed 12/16/69.] Repealed by 85-04-029 (Order PL 511), filed 1/31/85. Statutory Authority: RCW 18.96.060.

308-13-110 Landscape architect listings. [Statutory Authority: RCW 18.96.060. 85-04-029 (Order PL 511), § 308-13-110, filed 1/31/85; Order PL 169, § 308-13-110, filed 6/19/74; Order PL-135, § 308-13-110, filed 11/13/72.] Repealed by 96-10-013, filed 4/19/96, effective 5/20/96.

308-13-120 Landscape architects—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-13-120, filed 9/25/80; Order PL 206, § 308-13-120, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-13-150.

WAC 308-13-005 Definitions. (1) "Registered college" as used in RCW 18.96.070 means a college or school recognized by the Landscape Architectural Accreditation Board (LAAB) as having accredited programs in landscape architecture.

(2) "Entire examination" as referred to in RCW 18.96.090 means the written and graphic examination approved by the board.

(3) The word "principal" as used in this chapter means a member of a firm offering landscape architectural services to the public who is a landscape architect, a shareholder and director of landscape architecture if the practice is through a corporation, a partner if the practice is through a partnership or the owner if the practice is through a sole proprietorship.

(4) "L.A.R.E." means the Landscape Architect Registration Examination for landscape architects.

(5) "CLARB" means the National Council of Landscape Architectural Registration Boards, of which the Washington board is a member.

(6) "Academic requirement" means graduation from a college or school approved by the board as offering a curriculum in landscape architecture.

[Statutory Authority: RCW 18.96.060. 02-07-047, § 308-13-005, filed 3/14/02, effective 4/14/02; 96-10-013, § 308-13-005, filed 4/19/96, effective 5/20/96; 85-04-029 (Order PL 511), § 308-13-005, filed 1/31/85.]

WAC 308-13-010 State board of registration. (1) Meetings. The Washington state board of registration for landscape architects, hereinafter called the board, shall hold an annual public meeting during April of each year for the purpose of election of board officers and any other business of a public nature.

(2) Officers. At the annual public meeting, the board shall elect a chairman, a vice chairman, and a secretary for the ensuing year. The secretary may delegate the office's responsibilities in all or in part to the executive secretary.

[Statutory Authority: RCW 18.96.060. 85-04-029 (Order PL 511), § 308-13-010, filed 1/31/85; 80-05-141 (Order PL-343), § 308-13-010, filed 5/7/80; Order 2472, § 308-13-010, filed 12/16/69.]

WAC 308-13-015 Powers and duties of the board. The board shall:

(1) Determine the qualifications for examination.

(2) Accept the programs recognized by the Landscape Architectural Accreditation Board, periodically published by the American Society of Landscape Architects (ASLA), as those academic programs qualifying for education experience credit as described in RCW 18.96.070.

(3) Administer the written examination when it is available in its entire content to all eligible applicants for registration under the provisions of this chapter and chapter 18.96 RCW.

(4) Examine and act on applications for registration by reciprocity and make recommendations to the director of licensing for issuance or refusal thereof.

(5) Provide application instructions for reissuance of license to persons whose license has been suspended or revoked in accordance with RCW 18.96.140.

(6) Provide reinstatement instructions to persons whose license is delinquent in accordance with RCW 18.96.110.

(7) Investigate and hold hearings on complaints against registrants and advise the director of findings of evidence of violation of chapter 18.96 RCW.

[Statutory Authority: RCW 18.96.060, 96-10-013, § 308-13-015, filed 4/19/96, effective 5/20/96; 86-16-013 (Order PM 607), § 308-13-015, filed 7/25/86; 85-04-029 (Order PL 511), § 308-13-015, filed 1/31/85; Order 2472, § 308-13-015, filed 12/16/69.]

WAC 308-13-020 Qualifications and application for licensure. Applicants for licensure shall provide documentation verifying a minimum of seven years of any combination of academic and practical training experience approved by the board.

(1) ACADEMIC TRAINING

(a) With a passing grade, 32 semester credit hours or 45 quarter credit hours is considered to be one year. Any fraction, one-half year or greater, will be counted one-half year, and less than one-half year will not be counted.

(b) A degree in landscape architecture or credits from an accredited college will be weighted at one hundred percent with a four year maximum credit for academic training.

(c) Credits in landscape architecture from a college not accredited may be weighted up to seventy-five percent with a three year maximum credit for academic training.

(d) Credits in architecture or civil engineering will be weighted at fifty percent with a two year maximum credit for academic training.

(2) PRACTICAL TRAINING

(a) Practical training experience, work in landscape architecture and related work experience, will be measured in months.

(b) No training prior to graduation from high school will be accepted.

(c) Full-time practical work experience must be at least thirty-five hours per week for a minimum of ten consecutive weeks; and part-time practical work experience must be at least twenty hours per week for six or more consecutive months.

[Statutory Authority: RCW 18.96.060, 02-07-047, § 308-13-020, filed 3/14/02, effective 4/14/02; 93-16-009, § 308-13-020, filed 7/22/93, effective 8/22/93. Statutory Authority: RCW 18.96.060 and 18.96.070, 88-05-025 (Order PM 707), § 308-13-020, filed 2/12/88. Statutory Authority: RCW 18.96.060, 85-04-029 (Order PL 511), § 308-13-020, filed 1/31/85; Order PL 246, § 308-13-020, filed 4/26/76; Order 2472, § 308-13-020, filed 12/16/69.]

WAC 308-13-024 Application for examination. (1) Once an applicant has completed the academic requirement, the applicant may apply to take the examination. The application to sit for the examination must be on a form prescribed by the board and must include, at a minimum:

(a) Three references from landscape architects having personal knowledge of the applicant's landscape architectural experience;

(b) Transcript of academic experience showing courses taken and degree received with registrar's seal/stamp/signature. Photocopies of transcripts are not acceptable;

(c) A summary of the applicant's work experience; and

(d) Required fees.

Applications for admission to an examination, if scheduled, must be submitted or postmarked not later than the following dates. If the cut-off date falls on a Saturday or Sunday, the postmark deadline will be the following Monday.

Examination Months	Cut-off Dates
June	April 1
December	October 1

(2) Examinees may retake any sections offered that have not been passed. Applications for examination or reexamination must be accompanied by the application fee for examination or reexamination and the appropriate examination fee as established by the director and published in chapter 308-13 WAC, landscape architect fees. For reexamination applicants, examination fees are listed by separate section.

(3) Examination admission letters will be mailed to eligible applicants approximately six weeks prior to the examination along with detailed information as to times, place, and scheduled examination sections.

(4) Application fees for examination and reexamination are administrative charges and will not be refunded. The examination fees (cost of each test) may be refunded if notice of cancellation is received by the department prior to ordering of examinations from the national testing service.

(5) Following successful completion of the registration examination, candidates will satisfactorily complete the review of laws related to the practice of landscape architecture as determined by the board.

[Statutory Authority: RCW 18.96.060, 02-07-047, § 308-13-024, filed 3/14/02, effective 4/14/02; 96-10-013, § 308-13-024, filed 4/19/96, effective 5/20/96; 93-16-009, § 308-13-024, filed 7/22/93, effective 8/22/93.]

WAC 308-13-032 Licensing examination. The form of the examination required of applicants shall consist of a written and graphic examination. Subject to the provisions of RCW 18.96.090, the board adopts the landscape architectural registration examination and grading procedure prepared by the council of landscape architectural registration boards (CLARB) as the state examination for registration.

The examination is administered according to the published national schedule.

To pass the examination, an applicant must achieve a passing score of seventy-five percent on each of the sections of the examination. Applicants are notified of their grades by mail. No grades are given by telephone. Reexamination information shall be provided to candidates along with scores if the candidate has not passed all sections.

An applicant must successfully complete the entire examination within a five-year period. The five-year period shall begin with the month an applicant begins the examination process. Passing scores for any section of the examination may be carried forward for a period of five years from the date the applicant passed that section of the examination.

Applicants shall retake any section of the examination which was passed more than five years previously, along with any section of the examination not yet passed.

[Statutory Authority: RCW 18.96.060, 93-16-009, § 308-13-032, filed 7/22/93, effective 8/22/93; 92-10-030, § 308-13-032, filed 4/30/92, effective 5/31/92. Statutory Authority: RCW 18.96.060 and 18.96.090, 88-12-018 (Order PM 726), § 308-13-032, filed 5/24/88. Statutory Authority: RCW 18.96.060, 85-23-045 (Order PL 567), § 308-13-032, filed 11/18/85; 85-04-029 (Order PL 511), § 308-13-032, filed 1/31/85.]

WAC 308-13-036 Supplemental application after successful completion of examination. If the applicant chooses to take the examination after completion of the academic requirement, but before completion of the practical training requirement, then the applicant must file a supplemental application after the applicant completes the seven-year combined academic and practical training requirements. The supplemental application must be on a form prescribed by the board and must include documentation to establish that the applicant successfully completed all portions of the examination and that the applicant has satisfied the seven-year academic and practical training requirements as set forth in WAC 308-13-020.

[Statutory Authority: RCW 18.96.060, 02-07-047, § 308-13-036, filed 3/14/02, effective 4/14/02.]

WAC 308-13-040 Review of examinations. Candidates who fail to pass design problems of the landscape architect registration examination may review the failed portions of the examination. Sections of the examination which have been passed and objective portions of the examination may not be reviewed by the candidate. (No examinations may be taken from the offices of the board.)

[Statutory Authority: RCW 18.96.060, 92-10-030, § 308-13-040, filed 4/30/92, effective 5/31/92; 86-16-013 (Order PM 607), § 308-13-040, filed 7/25/86; 85-04-029 (Order PL 511), § 308-13-040, filed 1/31/85; 80-05-141 (Order PL-343), § 308-13-040, filed 5/7/80; Order 2472, § 308-13-040, filed 12/16/69.]

WAC 308-13-045 Initial license. The applicant will be notified by mail upon meeting all the requirements for initial licensure. The applicant must submit the current license fee. The license will expire on the applicant's birthdate, and will be issued for two years.

[Statutory Authority: RCW 18.96.060 and 43.24.086, 99-23-025, § 308-13-045, filed 11/9/99, effective 11/9/99. Statutory Authority: RCW 43.24.086 and 18.96.110, 97-06-065, § 308-13-045, filed 2/27/97, effective 3/30/97.]

WAC 308-13-050 Registration by reciprocity. (1) Any landscape architect who is currently registered in another state or country which extends the privileges of reciprocity to landscape architecture in this state, and who desires to practice landscape architecture in Washington, shall make formal application on forms provided by the board, accompanied by the initial license fee and the reciprocity application fee. Applicants shall satisfactorily complete the review of laws related to the practice of landscape architecture as determined by the board. The application shall show evidence satisfactory to the board of:

(a) Having at least the equivalent experience and responsible charge of landscape architectural work as required of candidates for examination;

(b) Having satisfactorily completed the national examination required of applicants for registration in Washington;

(c) Applicant's proof of compliance, that shall consist of:

(i) Education: Transcript of college grades indicating degrees earned. Transcripts are not required if work experience is at least seven years.

(ii) Employment: Statements of previous employers covering full time employment for a minimum of three years when the applicant has an accredited degree in landscape architecture or seven years of experience working with landscape architects or a combination of seven years of education and experience, approved by the board.

(iii) Certification: State of registration where applicant passed the national examination, listing subjects taken and scores received.

(2) Certification: National certification by the council of landscape architectural registration boards shall be recognized by this board as satisfactory evidence for registration by reciprocity, provided the applicant has passed the national examination and such certification is current and valid at the time of approval by the board.

[Statutory Authority: RCW 18.96.060, 02-07-047, § 308-13-050, filed 3/14/02, effective 4/14/02; 96-10-013, § 308-13-050, filed 4/19/96, effective 5/20/96; 85-04-029 (Order PL 511), § 308-13-050, filed 1/31/85; Order PL 206, § 308-13-050, filed 11/5/75; Order PL 169, § 308-13-050, filed 6/19/74; Order PL-135, § 308-13-050, filed 11/13/72; Order 2472, § 308-13-050, filed 12/16/69.]

WAC 308-13-100 Reinstatement of delinquent, suspended, or revoked licenses. (1)(a) Reinstatement of a license, delinquent less than five years, requires a letter to the board administrator requesting reinstatement, payment of all delinquent renewal fees plus the current penalty fee.

(b) Reinstatement of a license, delinquent five or more years, requires a letter of application to the board requesting reinstatement, payment of all delinquent renewal fees plus the current penalty fee, a resume of landscape architectural activities and projects since the date of expiration, a detailed explanation of the circumstances surrounding the failure to maintain current licensure and a satisfactory completion of the review of laws related to the practice of landscape architecture as determined by the board. Additional requirements may be established by the board.

(2) Requests for reinstatement of a suspended or revoked license shall be submitted in a letter of application to the board and shall include a resume of professional activities and projects since suspension or revocation, a satisfactory completion of the review of laws related to the practice of landscape architecture as determined by the board and such other documents and materials as directed by the board.

[Statutory Authority: RCW 18.96.060, 02-07-047, § 308-13-100, filed 3/14/02, effective 4/14/02; 93-16-009, § 308-13-100, filed 7/22/93, effective 8/22/93; 85-04-029 (Order PL 511), § 308-13-100, filed 1/31/85; Order 2472, § 308-13-100, filed 12/16/69.]

WAC 308-13-150 Landscape architect fees and charges. The following fees will be collected from the candidates:

Title of Fee	Fee
Application fee	\$50.00
Reexamination administration fee	50.00

Title of Fee	Fee
Renewal (2 years)	200.00
Late renewal penalty	100.00
Duplicate license	25.00
Initial registration (2 years)	200.00
Reciprocity application fee	200.00
Replacement wall certificate	20.00

The following charges assessed by the Council of Landscape Architectural Registration Boards (CLARB), collected from candidates for the costs of the examinations shall be paid to CLARB.

Examination and Sections	Charges
Entire examination	\$470.00
Section C:	
Planning and site design	245.00
Section E:	
Grading, drainage and storm water management	245.00

The following sections of the examination will only be administered by CLARB:

Section A:	
Legal and administrative aspects of practice	
Section B:	
Analytical aspects of practice	
Section D:	
Structural considerations and materials and methods of construction	

[Statutory Authority: RCW 18.96.080 and 43.24.086. 05-17-004, § 308-13-150, filed 8/3/05, effective 9/3/05; 05-04-050, § 308-13-150, filed 1/28/05, effective 2/28/05; 04-17-026, § 308-13-150, filed 8/9/04, effective 9/9/04; 03-11-074, § 308-13-150, filed 5/20/03, effective 6/20/03; 02-16-018, § 308-13-150, filed 7/26/02, effective 8/26/02. Statutory Authority: RCW 18.96.060 and 43.24.086. 01-15-034, § 308-13-150, filed 7/12/01, effective 8/12/01; 01-04-002, § 308-13-150, filed 1/25/01, effective 2/25/01; 99-23-025, § 308-13-150, filed 11/9/99, effective 11/9/99. Statutory Authority: RCW 18.96.080 and 43.24.086. 96-11-132, § 308-13-150, filed 5/22/96, effective 6/22/96; 95-20-026, § 308-13-150, filed 9/27/95, effective 10/28/95. Statutory Authority: RCW 43.24.086. 94-23-031, § 308-13-150, filed 11/8/94, effective 12/9/94. Statutory Authority: RCW 18.96.080. 94-04-044, § 308-13-150, filed 1/27/94, effective 2/27/94. Statutory Authority: RCW 43.24.086 and 18.96.080. 91-23-021, § 308-13-150, filed 11/8/91, effective 12/9/91; 90-15-039, § 308-13-150, filed 7/13/90, effective 8/13/90. Statutory Authority: RCW 43.24.086. 90-03-031, § 308-13-150, filed 1/12/90, effective 2/12/90; 88-04-027 (Order PM 702), § 308-13-150, filed 1/26/88. Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-13-150, filed 8/10/83. Formerly WAC 308-13-120.]

WAC 308-13-160 Renewal of license. (1) A courtesy renewal notice is mailed to the address on file, approximately eight weeks prior to the license expiration date. The notice will show the due date, the amount of renewal fee, the penalty fee for late payment and other mailing instructions. The board of registration for landscape architects must be notified in writing of any address changes.

(2) The renewed landscape architect license is issued for a two-year period that expires on the licensee's birthdate.

[Statutory Authority: RCW 18.96.060 and 43.24.086. 99-23-025, § 308-13-160, filed 11/9/99, effective 11/9/99. Statutory Authority: RCW 43.24.086 and 18.96.110. 97-06-065, § 308-13-160, filed 2/27/97, effective 3/30/97. Statutory Authority: RCW 18.96.080. 94-04-044, § 308-13-160, filed 1/27/94, effective 2/27/94. Statutory Authority: RCW 46.24.086 [43.24.086] and 18.96.110. 88-01-022 (Order PM 696), § 308-13-160, filed 12/9/87.]

(2007 Ed.)

WAC 308-13-210 Application of brief adjudicative proceedings. The board adopts RCW 34.05.482 through 34.05.494 for the administration of brief adjudicative proceedings conducted by request for the categories of matters set out below or at the discretion of the board chair pursuant to RCW 34.05.482. If an adjudicative proceeding is requested, a brief adjudicative proceeding will be conducted where the matter is limited solely to one or more of the following issues:

(1) A determination whether an applicant for registration meets the minimum criteria for certification to practice as a landscape architect in this state and the board proposes to deny the application;

(2) A determination whether a person is in compliance with the terms and conditions of a final order or agreement previously issued by the board;

(3) A determination whether an applicant for or in the examination process shall be denied to sit for future examinations;

(4) A determination whether a certificate holder requesting renewal or reinstatement has submitted all required information and meets minimum criteria for renewal or reinstatement; and

(5) A determination whether a certificate holder has been certified by a lending agency and reported for nonpayment or default on a federally or state-guaranteed student loan or service-conditional scholarship.

[Statutory Authority: RCW 18.96.060. 97-10-026, § 308-13-210, filed 4/30/97, effective 5/31/97.]

WAC 308-13-220 Preliminary record in brief adjudicative proceedings. (1) The preliminary record with respect to an application for an original or renewal license shall consist of:

(a) The application for the license, renewal, reinstatement or approval and all associated documents; and

(b) All documents relied upon by the program in proposing to deny the application, renewal, reinstatement or approval; and

(c) All correspondence between the applicant for license, renewal, reinstatement or approval and the program regarding the application.

(2) The preliminary record with respect to determination of compliance with a previously issued final order or agreement shall consist of:

(a) The previously issued final order or agreement;

(b) All reports or other documents submitted by, or at the direction of, the license holder, in full or partial fulfillment of the terms of the final order or agreement;

(c) All correspondence between the license holder and the program, regarding compliance with the final order or agreement; and

(d) All documents relied upon by the program showing that the license holder has failed to comply with the previously issued final order or agreement.

(3) The preliminary record with respect to the determination of nonpayment or default by the license holder on a federally or state-guaranteed student loan or service-conditional scholarship shall consist of:

(a) Certification and report by the lending agency that the identified person is in default or nonpayment on a feder-

ally or state-guaranteed student loan or service-conditional scholarship; or

(b) A written release, if any, issued by the lending agency stating that the identified person is making payment on the loan in accordance with a repayment agreement approved by the lending agency.

[Statutory Authority: RCW 18.96.060. 97-10-026, § 308-13-220, filed 4/30/97, effective 5/31/97.]

WAC 308-13-230 Conduct of brief adjudicative proceedings. (1) Brief adjudicative proceedings shall be conducted by a presiding officer for brief adjudicative proceedings designated by the board chair. The presiding officer for brief adjudicative proceedings shall have agency expertise in the subject matter but shall not have personally participated in the decision to issue the initiating document.

(2) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceedings shall designate the date by which written documents must be submitted by the parties.

(3) The presiding officer for brief adjudicative proceedings may, in his or her discretion, entertain oral argument from the parties or their representatives.

(4) No witnesses may appear to testify.

(5) In addition to the record, the presiding officer for brief adjudicative proceedings may employ agency expertise as a basis for decision.

(6) The presiding officer for brief adjudicative proceedings shall not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer for brief adjudicative proceedings shall enter an initial order.

[Statutory Authority: RCW 18.96.060. 97-10-026, § 308-13-230, filed 4/30/97, effective 5/31/97.]

WAC 308-13-240 Reinstatement of suspended certificates, eligibility for registration, or denied renewals. Where a person's certificate of registration has been suspended, an applicant has been denied certificate renewal, or an applicant has been denied the ability to take the examination for certificate of registration due to nonpayment or default on a federally or state-guaranteed educational loan or service-conditional scholarship, his or her certificate renewal or examination application will be reinstated when the person provides the board a written release issued by the lending agency stating that the person is making payments on the loan in accordance with a repayment agreement approved by the lending agency, provided, the person shall pay any applicable reinstatement or renewal fee.

[Statutory Authority: RCW 18.96.060. 97-10-026, § 308-13-240, filed 4/30/97, effective 5/31/97.]

Chapter 308-14 WAC COURT REPORTERS

WAC

308-14-010	Definitions.
308-14-085	Examination.
308-14-090	Application.
308-14-100	License renewal—Penalties.
308-14-115	Wall certificates.
308-14-120	Examination appeal procedures.

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308-14-130	Standards of professional practice.
308-14-135	Transcript preparation format.
308-14-190	Exemptions—Court appointed.
308-14-200	Court reporter fees.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-14-080	Certification requirements—Permanent and temporary certificates. [Statutory Authority: Chapter 18.145 RCW and RCW 43.24.086. 90-10-009, § 308-14-080, filed 4/20/90, effective 5/21/90.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
308-14-110	Persons practicing as of the effective date of this chapter. [Statutory Authority: Chapter 18.145 RCW and RCW 43.24.086. 90-10-009, § 308-14-110, filed 4/20/90, effective 5/21/90.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
308-14-210	Application of brief adjudicative proceedings. [Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-053, § 308-14-210, filed 5/1/97, effective 6/1/97.] Repealed by 06-10-007, filed 4/20/06, effective 5/21/06. Statutory Authority: RCW 18.145.050. Later promulgation, see chapter 308-08 WAC.
308-14-220	Preliminary record in brief adjudicative proceedings. [Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-053, § 308-14-220, filed 5/1/97, effective 6/1/97.] Repealed by 06-10-007, filed 4/20/06, effective 5/21/06. Statutory Authority: RCW 18.145.050. Later promulgation, see chapter 308-08 WAC.
308-14-230	Conduct of brief adjudicative proceedings. [Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-053, § 308-14-230, filed 5/1/97, effective 6/1/97.] Repealed by 06-10-007, filed 4/20/06, effective 5/21/06. Statutory Authority: RCW 18.145.050. Later promulgation, see chapter 308-08 WAC.

WAC 308-14-010 Definitions. "Character" is a letter, numeral, punctuation mark, control character, blank, or other such symbol.

"Standard line" is a line that can be determined by looking at a full line of text and counting from the first letter, including punctuation and spaces, to the last letter of that line. The standard line does not include a "Q" or "A," or the numbers on the left side of the page.

[Statutory Authority: RCW 18.145.050, 43.24.023. 04-17-072, § 308-14-010, filed 8/13/04, effective 9/13/04.]

WAC 308-14-085 Examination. (1) The examination for "court reporter," "shorthand reporter," "certified court reporter," or "certified shorthand reporter" shall be an examination developed, administered, and graded by the department with the advice of the board or any examination prepared by a recognized person (institution, organization, corporation) approved by the department that meets the requirements stated in this regulation.

(2) Recognition of an examination as the Washington certification examination is conditioned upon the examination meeting the following requirements:

(a) Be a timed tape with content, speed, and quality approved by the department with the advice of the board, prior to use;

(b) The examination requires the applicant be able to report and transcribe at least two hundred words per minute of two-voice testimony for five consecutive minutes;

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(c) At least ninety-five percent accuracy is needed to pass the examination;

(d) Be offered at least twice a year;

(e) The pass/fail scores of the state certification applicants are provided to the department within four weeks of the date of the examination to include a complete list of all the applicants;

(f) Examinations statistics are supplied following each examination: The number scheduled, passed, failed, and failed to appear;

(g) The procedures for security and confidentiality of the examination and applicants must meet the requirements of the department of licensing; and

(h) The department will be supplied with the examination tape and all the individual examination papers with grading marks and comments on them for review. The department reserves the final authority for examination results. The department may retain the examination papers for thirty days after final determination regarding scores to allow appeals and review of papers. Sixty days after the examination results are released all examination papers will be destroyed, except those under appeal, which will be held until final disposition.

(3) The Washington state statutory examinations which were held April 1990, October 1990, and April 1991, are recognized as the qualifying examinations for state certification as a shorthand or court reporter.

(4) State applicants who have previously passed the Washington state department of licensing recognized examination within three years of application may be issued certification without additional examination if certified documentation of the passed examination is provided.

(5) Applicants who have failed the examination may apply by submission of a reexamination application and the required fee.

[Statutory Authority: RCW 18.145.050, 43.24.023, 04-22-123, § 308-14-085, filed 11/3/04, effective 12/4/04; 04-17-072, § 308-14-085, filed 8/13/04, effective 9/13/04. Statutory Authority: RCW 18.145.050 and 43.24.020, 91-20-002 and 91-20-044, § 308-14-085, filed 9/19/91 and 9/24/91, effective 10/20/91 and 10/25/91. Statutory Authority: RCW 18.145.050, 90-20-008, § 308-14-085, filed 9/20/90, effective 10/21/90.]

WAC 308-14-090 Application. Applications for certification must be complete in every detail and submitted with the required fee. The applications for examination must be received at least eight weeks prior to the examination. Complete applications will contain the following information:

- (1) Name and address
- (2) Birth date
- (3) Social Security number
- (4) Professional licensure/certification, including any action taken against the license or certificate
- (5) Personal affidavit[.]

[Statutory Authority: RCW 18.145.050, 43.24.023, 04-17-072, § 308-14-090, filed 8/13/04, effective 9/13/04. Statutory Authority: RCW 18.145.050 and 43.24.020, 91-20-002 and 91-20-044, § 308-14-090, filed 9/19/91 and 9/24/91, effective 10/20/91 and 10/25/91. Statutory Authority: Chapter 18.145 RCW and RCW 43.24.086, 90-10-009, § 308-14-090, filed 4/20/90, effective 5/21/90.]

WAC 308-14-100 License renewal—Penalties. (1) Certification must be renewed on or before the expiration date shown on the certificate. The expiration date is the certificate holder's birthdate. Failure to renew the certificate by the expiration date will result in a penalty fee in an amount determined by the director. Certification may be reinstated for up to three years by payment of all renewal fees and a penalty fee for the period for which the certification had lapsed.

(2) An individual who fails to renew their certification by the expiration date forfeits all rights to represent themselves as a "shorthand reporter," "court reporter," "certified shorthand reporter," or "certified court reporter" until the certificate has been reinstated.

(3) An individual who has allowed the certification to expire for three years or more is required to file a new complete application and fee and must pass the state-approved examination. Upon passage of the exam a certificate will be issued.

[Statutory Authority: Chapter 18.145 RCW and RCW 43.24.086, 90-10-009, § 308-14-100, filed 4/20/90, effective 5/21/90.]

WAC 308-14-115 Wall certificates. Upon meeting standards of competency as defined in RCW 18.145.080, an applicant will be issued a wall certificate with the applicant's name, issue date and certificate number. Licensees will be issued one wall certificate, which will provide proof of certification.

[Statutory Authority: RCW 18.145.050, 43.24.023, 04-17-072, § 308-14-115, filed 8/13/04, effective 9/13/04.]

WAC 308-14-120 Examination appeal procedures.

(1) Any candidate who takes the state examination for licensure and does not pass the examination may request to review their papers.

(a) The department will not modify examination results unless the candidate presents clear and convincing evidence of error in the grading of the examination.

(b) The department will not consider any challenges to examination grading unless the total of the potentially revised score would result in issuance of certification.

(2) The procedure for requesting an informal review of examination results is as follows:

(a) The request must be in writing and must be received by the department within thirty days of the date on the letter of notification of examination results sent to the candidate.

(b) The following procedures apply to an appeal of the results of the examination.

(i) In addition to the written request required in (a) of this subsection, the candidate must appear personally in the department office in Olympia to review the examination. The candidate must contact the department to make an appointment for the exam review session with department staff.

(ii) Within fifteen days of the review the candidate, in writing, must specifically identify the challenged portions on the examination and must state the specific reason(s) why the candidate believes the results should be modified.

(iii) The candidate will be allowed one hour to review the examination.

(c) The department will review the examination and justification submitted by the candidate. The candidate will be notified in writing of the department's decision.

(d) Any candidate who is not satisfied with the results of the informal examination review may, within twenty days of

the date on the notice of the department's informal review notification, request a formal hearing to challenge the examination results.

(3) The procedures for requesting a formal hearing are as follows:

(a) The candidate must complete the informal review process before requesting a formal hearing.

(b) The request for a formal hearing must be received by the department within twenty days of the date on the notice of the results of the department's informal review.

(c) The written request must specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate believes the examination results should be modified.

(d) Candidates will receive at least twenty days notice of the time and place of the formal hearing.

(e) The hearing will be restricted to the specific portion(s) of the examination the candidate has identified in the request for formal hearing.

(f) The formal hearing will be conducted pursuant to the Administrative Procedure Act, chapter 34.05 RCW.

(g) The candidate will be notified in writing of the director's final decision.

[Statutory Authority: RCW 18.145.050 and 43.24.020. 91-20-002 and 91-20-044, § 308-14-120, filed 9/19/91 and 9/24/91, effective 10/20/91 and 10/25/91.]

WAC 308-14-130 Standards of professional practice.

All certified court reporters (CCR) shall comply with the following professional standards except where differing standards are established by court or governmental agency. Failure to comply with the following standards is deemed unprofessional conduct. Certified court reporters shall:

(1) Offer arrangements on a case concerning court reporting services or fees to all parties on equal terms.

(2) Include on all transcripts, business cards, and advertisements their CCR reference number.

(3) Prepare transcripts in accordance with the transcript preparation guidelines established by WAC 308-14-135 or court.

(4) Preserve and file shorthand notes in a manner retrievable. Transcribed notes shall be retained for no less than three years and untranscribed notes shall be retained for not less than ten years, or as required by statute, whichever is longer.

(5) Provide transcripts on agreed delivery date, and give notification of any delays.

(6) Prepare accurate transcripts.

(7) Disclose conflicts, potential conflicts, or appearance of conflicts to all involved parties.

(8) Be truthful and accurate in advertising qualifications and/or services provided.

(9) Preserve the confidentiality of all information obtained during a proceeding and take all steps necessary to ensure its security.

(10) Notify all involved parties when transcripts are ordered.

(11) All parties shall be notified when a transcript is ordered by a person not involved in the case. If any party objects, the transcript cannot be provided without a court order.

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(12) Supply certified copies of transcripts to any involved party, upon appropriate request.

[Statutory Authority: RCW 18.145.050, 43.24.023. 04-17-072, § 308-14-130, filed 8/13/04, effective 9/13/04. Statutory Authority: RCW 18.145.050 and 43.24.020. 91-20-002 and 91-20-044, § 308-14-130, filed 9/19/91 and 9/24/91, effective 10/20/91 and 10/25/91. Statutory Authority: RCW 18.145.050. 90-20-008, § 308-14-130, filed 9/20/90, effective 10/21/90.]

WAC 308-14-135 Transcript preparation format.

The following transcript format shall be followed by all certified court reporters (CCR's), except where format is recommended or established by court or agency.

(1) Twenty-five typed lines per 8 1/2 x 11 inch standard page of paper.

(2) No fewer than nine and no more than ten characters per inch of text.

(3) No fewer than fifty-four and no more than sixty characters per standard line of text.

[Statutory Authority: RCW 18.145.050, 43.24.023. 04-17-072, § 308-14-135, filed 8/13/04, effective 9/13/04. Statutory Authority: RCW 18.145.050 and 43.24.020. 91-20-002 and 91-20-044, § 308-14-135, filed 9/19/91 and 9/24/91, effective 10/20/91 and 10/25/91.]

WAC 308-14-190 Exemptions—Court appointed. A

court reporter that is appointed to superior court under RCW 2.32.180 is exempt from the licensure requirements of chapter 18.145 RCW. The department has jurisdiction over court reporting activities when the court reporter is appointed to superior court under RCW 2.32.180 and is also certified under chapter 18.145 RCW.

[Statutory Authority: RCW 18.145.050, 43.24.023. 04-17-072, § 308-14-190, filed 8/13/04, effective 9/13/04.]

WAC 308-14-200 Court reporter fees. The following fees shall be charged by the business and professions division, department of licensing:

Title of Fee	Fee
Certification	
Application	\$95.00
Renewal	40.00
Late renewal penalty	80.00
Verification	25.00
Duplicate	15.00

[Statutory Authority: RCW 18.145.050, 43.24.086, 43.24.023. 04-17-073, § 308-14-200, filed 8/13/04, effective 10/1/04. Statutory Authority: RCW 18.145.050, 43.24.086 and 43.135.055. 98-16-060, § 308-14-200, filed 8/3/98, effective 9/3/98. Statutory Authority: Chapter 18.145 RCW and RCW 43.24.086. 90-10-009, § 308-14-200, filed 4/20/90, effective 5/21/90.]

Chapter 308-15 WAC

GEOLOGIST LICENSING SERVICES

WAC

308-15-010	State board of licensing.
308-15-020	Definitions.
308-15-030	How do I apply for a geologist license?
308-15-040	What are the minimum requirements to be eligible for a geologist license?
308-15-050	What is the examination process to be licensed as a geologist?
308-15-053	What are the specialty licenses?
308-15-055	What are the minimum requirements to be eligible for an engineering geologist specialty license?
308-15-057	What are the minimum requirements to be eligible for a hydrogeologist specialty license?

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308-15-060	What are the minimum requirements for obtaining a geologist or specialty license by reciprocity?
308-15-070	Do I need a seal?
308-15-075	When do I need to use my stamp/seal?
308-15-080	What do I need to know about renewing or reinstating my license?
308-15-100	What is a brief adjudicative proceeding (BAP)?
308-15-101	When can a brief adjudicative proceeding (BAP) be requested?
308-15-103	How are brief adjudicative proceedings (BAPs) conducted?
308-15-140	What are the rules of professional conduct?
308-15-150	Fees.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-15-090	What are the specialty licenses, qualifications and processes for licensure? [Statutory Authority: Chapter 18.220 RCW, 01-12-023, § 308-15-090, filed 5/25/01, effective 6/25/01.] Repealed by 05-01-174, filed 12/21/04, effective 1/21/05. Statutory Authority: RCW 18.220.040, 18.220.050.
308-15-102	What records are required for a brief adjudicative proceeding (BAP)? [Statutory Authority: Chapter 18.220 RCW, 01-12-023, § 308-15-102, filed 5/25/01, effective 6/25/01.] Repealed by 05-01-174, filed 12/21/04, effective 1/21/05. Statutory Authority: RCW 18.220.040, 18.220.050.

WAC 308-15-010 State board of licensing. (1) **Meetings:** The Washington state geologist licensing board, hereafter called the board, will hold quarterly regular public meetings each year. Special public meetings may be held at such times and places as the board finds necessary. Public notice of all public meetings will be issued as required by the Open Public Meetings Act, chapter 42.30 RCW.

(2) **Rules of order:** The latest edition of *Robert's Rules of Order* will govern the conduct of business at meetings and sessions of the board.

(3) **Officers:** The board will elect a chair, a vice-chair and a secretary at its regular quarterly meeting in March.

(4) **Quorum:** A quorum at any regular or special meeting or session will consist of four members of the board.

(5) **Licensed geologists:** The board will maintain a roster of licensed geologists.

[Statutory Authority: RCW 18.220.040, 18.220.050, 05-01-174, § 308-15-010, filed 12/21/04, effective 1/21/05. Statutory Authority: Chapter 18.220 RCW, 01-12-023, § 308-15-010, filed 5/25/01, effective 6/25/01.]

WAC 308-15-020 Definitions. (1) **"Board"** means the Washington state geologist licensing board.

(2) **"Department"** means the Washington state department of licensing.

(3) **"Geologic interpretation," as applied to the practice of geology and its specialties,** is the iterative process by which geologists, using generally accepted geologic principles, determine geologic history, origin and process from observation and testing of rock, soil and water characteristics, contents, distribution, orientation, lateral and vertical continuity; and resulting landforms.

(4) **"Geological work of a character satisfactory to the board"** means that the applicant's qualifying work history consists of professional experience in the practice of geology. Professional geological work is work performed at a professional level that requires the application of professional knowledge, principles and methods to geological problems through the exercise of individual initiative and judgment in

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investigating, measuring, interpreting and reporting on the physical phenomena of the earth. Implicit in this definition are the recognition of professional responsibility and integrity and the acknowledgment of minimal supervision. Professional geological work specifically does not include routine activities by themselves such as drafting, sampling, sample preparation, routine laboratory work, or core logging, where the elements of initiative, scientific judgment and decision making are lacking, nor does it include activities which do not use scientific methods to process and interpret geologic data. It also does not include engineering or other physical sciences where geological investigation, analysis and interpretation are minimal or lacking. Professional specialty experience is considered to meet this definition.

(5) **"Geologist web site"** means the internet web site maintained by the department of licensing.

(6) **"National Association of State Boards of Geology" or "ASBOG"** means the organization responsible for developing, publishing and grading National Geologist Licensing Examinations.

(7) **"Professional specialty practice of a character satisfactory to the board"** means that the applicant has qualifying work history pertinent to the specialty that meets the standards for professional geologic work defined above. Elements, typical applications, types of projects, for the engineering geologist and hydrogeologist specialties are outlined in WAC 308-15-053.

(8) **"Reciprocity"** means the issuance of a license without examination as a geologist or specialty geologist to a person who holds a license or certificate of qualifications issued by proper authority of any state, territory, or possession of the United States, District of Columbia, or any foreign country, if the applicant meets the requirements outlined in WAC 308-15-040 for a geologist license, in WAC 308-15-055 for an engineering geologist license, and in WAC 308-15-057 for a hydrogeologist license.

(9) **"Year of professional practice"** means at least 1600 hours of work in the practice during a year. Examples of a "year of professional practice" include 200 eight-hour days or 160 ten-hour days during a year. Part-time work will be counted on a prorated basis.

(10) **"Year of professional specialty practice"** means at least 1600 hours of work in a specialty during a calendar year, per examples given in subsection (9) of this section.

[Statutory Authority: RCW 18.220.040, 18.220.050, 05-01-174, § 308-15-020, filed 12/21/04, effective 1/21/05. Statutory Authority: Chapter 18.220 RCW, 01-12-023, § 308-15-020, filed 5/25/01, effective 6/25/01.]

WAC 308-15-030 How do I apply for a geologist license? (1) Review the available options for licensure:

(a) Examination in WAC 308-15-050; and

(b) Reciprocity in WAC 308-15-060.

(2) Complete and submit your application according to the directions in the geologist application packet, which is available on the geologist web site and upon request from the board office.

(3) Verify you meet minimum educational requirements by having your official sealed transcripts sent directly to the board office from your college or university. Transcripts from schools outside the United States or Canada must be evaluated by a board-approved evaluation service. The eval-

uation service must send the original evaluation and a copy of the transcripts directly to the board office.

(4) Solicit personal references and verifications of experience in the format and on the forms specified in the application instructions. Verifications must be sent to the board directly from the originating source.

(5) If applying for a license by reciprocity, solicit verification of your current license or certification and your examination scores on the form provided in the application packet. Verification must be sent directly to the board from the issuing jurisdiction.

(6) If applying for a specialty license, submit a project list on the forms provided in the application packet to show you meet the minimum requirements of professional specialty practice of a character satisfactory to the board.

(7) If requested by the board, submit one or more reports you contributed to or solely prepared.

(8) If applying for a license by examination, your complete application, as described in subsection (9) of this section, must be received by the board at least ninety calendar days before the date of the examination.

(9) An application is not complete and will not be considered until all of the following are received by the board:

(a) Application, signed and dated, and without omissions;

(b) Application fee and, if applying for a specialty by examination, the examination fee specified in WAC 308-15-150;

(c) Transcripts sent directly from the colleges or universities;

(d) Personal references sent directly from the originators;

(e) Verification of experience sent directly from the verifiers;

(f) If applying by reciprocity, verification of exam scores and license or certification in another jurisdiction;

(g) If applying for a specialty license, project list; and

(h) Other documentation requested by the board.

[Statutory Authority: RCW 18.220.040, 18.220.050, 06-04-022, § 308-15-030, filed 1/23/06, effective 2/23/06; 05-01-174, § 308-15-030, filed 12/21/04, effective 1/21/05. Statutory Authority: Chapter 18.220 RCW, 01-12-023, § 308-15-030, filed 5/25/01, effective 6/25/01.]

WAC 308-15-040 What are the minimum requirements to be eligible for a geologist license? You are eligible for a geologist license if you submit a complete application according to WAC 308-15-030, demonstrating:

(1) **Personal references.** You are of good moral character, as attested to by two references.

(2) **Education.** You have graduated from an accredited college or university with:

(a) A degree in geology, engineering geology, hydrogeology with at least twenty-four semester/thirty-six quarter hours of upper division geology courses; or

(b) A degree in a related geological science approved by the board, and have either:

(i) Successfully completed classes in structural geology, mineralogy, petrology and sedimentary geology/stratigraphy. Twenty-four semester/thirty-six quarter hours must be upper division geology courses; or

(ii) Successfully completed coursework that is determined by the board to be educationally equivalent in content and rigor to the classes listed above. You must submit documentation that demonstrates your coursework is equivalent to the requirements in (b)(i) of this subsection acceptable to the board. Examples of documentation include course syllabi, copies of study materials, and the tables of contents of books used in the course.

(3) **Experience.** You have at least five years of professional geological experience satisfactory to the board after completing the educational requirements in subsection (2) of this section. Experience earned prior to meeting the minimum educational requirements will not be considered. At least three years of geological experience must be obtained under the supervision of state-licensed geologists or others who, in the opinion of the board, are qualified to have responsible charge. The following may be considered qualifying experience:

(a) Geological research or teaching at the university or college level, which, in the judgment of the board, is comparable to experience obtained in the practice of geology; and

(b) Up to two years' credit for full-time graduate study in geology, engineering geology, hydrogeology or one of the related geological sciences approved by the board.

(4) **Examination.** You have passed the ASBOG examination according to WAC 308-15-050, or another examination acceptable to the board.

[Statutory Authority: RCW 18.220.040, 18.220.050, 05-01-174, § 308-15-040, filed 12/21/04, effective 1/21/05. Statutory Authority: Chapter 18.220 RCW, 01-12-023, § 308-15-040, filed 5/25/01, effective 6/25/01.]

WAC 308-15-050 What is the examination process to be licensed as a geologist? You must take and pass the ASBOG examination. The examination currently consists of two parts: Fundamentals of Geology and Practice of Geology. Each part of the examination is four hours long. Information on the examination is available on the ASBOG web site.

(1) **Applying for the examination:** You may either:

(a) Apply to take the Fundamentals of Geology exam after you meet the minimum educational requirements for licensure, and the Practice of Geology exam after you meet the experience requirements outlined in WAC 308-15-040.

(i) To apply to take the Fundamentals of Geology exam, you must provide the board with an application; a certified copy of your transcripts, sent directly from your college or university; and the application fee listed in WAC 308-15-150. You do not need to submit employment and experience verification forms or personal references.

(ii) After you meet the minimum experience requirements, you may apply for the Practice of Geology examination by submitting the remaining application documents and application fee; or

(b) Apply to take both parts of the ASBOG examination after you meet all other licensure requirements outlined in WAC 308-15-040 by submitting a completed license application packet and application fee.

(2) **Fees:** You must submit the application fee with your application prior to the application deadline. Fees are listed in WAC 308-15-150. Following approval of your application

you must submit your examination fees directly to ASBOG prior to the deadline specified by ASBOG.

(3) **Special accommodations:** If you have a disability, the board will provide accommodations consistent with the Americans with Disabilities Act. You must request special accommodations at least ninety days before the examination date.

(4) **Notification of scoring:** The board will notify you by mail of your examination score within ninety days of taking the examination.

(5) **Failing the examination:** You may apply to retake the examination by submitting a written request and the administrative fee for reexamination specified in WAC 308-15-150. You must submit the examination fee directly to ASBOG by the deadline specified by ASBOG.

[Statutory Authority: RCW 18.220.040, 18.220.050, 06-04-022, § 308-15-050, filed 1/23/06, effective 2/23/06; 05-01-174, § 308-15-050, filed 12/21/04, effective 1/21/05. Statutory Authority: Chapter 18.220 RCW, 01-12-023, § 308-15-050, filed 5/25/01, effective 6/25/01.]

WAC 308-15-053 What are the specialty licenses?

The types of specialty licenses are engineering geologist and hydrogeologist.

(1) Engineering geologist.

(a) Elements of the engineering geologist specialty.

The practice of engineering geology involves the interpretation, evaluation, analysis, and application of geological information and data to civil works. Geotechnical soil and rock units are designated, characterized, and classified, using standard engineering soil and rock classification systems. Relationships are interpreted between landform development, current and past geologic processes, ground and surface water, and the strength characteristics of soil and rock. Processes evaluated include both surficial processes (for example, slope, fluvial, and coastal processes), and deep-seated processes (for example, volcanic activity and seismicity). Geotechnical zones or domains are designated based on soil and rock strength characteristics, common landforms, related geologic processes, or other pertinent factors. Proposed developmental modifications are evaluated and, where appropriate, analyzed to predict potential or likely changes in types and rates of surficial geologic processes. Proposed modifications may include such things as vegetation removal, using various types of earth materials in construction, applying loads to shallow or deep foundations, constructing cut or fill slopes and other grading, and modifying ground and surface water flow. The effects of surficial and deep-seated geologic processes are evaluated and analyzed to predict their potential effect on public health, public safety, land use, or proposed development.

(b) **Typical engineering geologic applications and types of projects.** Engineering geology is applied during all project phases, from conception through planning, design, construction, maintenance, and, in some cases, reclamation and closure. Planning-level engineering geologic work is commonly conducted in response to forest practice regulations, critical areas ordinances, and the State Environmental Policy Act. Typical planning-level engineering geologic applications include timber harvest planning, proposed location of residential and commercial developments and other buildings and facilities, and alternative route selection for

roads, rail lines, trails, and utilities. Site-specific engineering geologic applications include cuts, fills, and tunnels for roads, trails, railroads, and utility lines; foundations for bridges and other drainage structures, retaining walls and shoring, dams, buildings, water towers, slope, channel and shoreline stabilization facilities, fish ladders and hatcheries, ski lifts and other structures; landings for logging and other work platforms; airport landing strips; rock bolt systems; blasting; and other major earthwork projects such as for aggregate sources and landfills.

(2) Hydrogeologist.

(a) **Elements of the hydrogeologist specialty.** In addition to tasks commonly performed by licensed geologists, the practice of hydrogeology involves the study of the movement of water and other fluids through geologic materials, the mechanical, physical, chemical, and thermal interaction of fluids with geologic materials, and the transport of energy and chemical constituents by fluids in the subsurface.

(b) **Typical hydrogeologic applications and types of projects.** Typical applications include regional or basin ground water resource, quantity and quality, characterization, development and protection of ground water resources, subsurface characterization; design of vadose and saturated zone cleanups; design, testing, and construction supervision of test, production, recharge, injection, remediation, dewatering and resource protection wells; fluid flow and transport modeling; dewatering system design; and evaluation of potential impacts caused by past, current, or future activities on the quantity and quality of ground water and soil gas, and the range of potential mitigations.

[Statutory Authority: RCW 18.220.040, 18.220.050, 05-01-174, § 308-15-053, filed 12/21/04, effective 1/21/05.]

WAC 308-15-055 What are the minimum requirements to be eligible for an engineering geologist specialty license? You are eligible for an engineering geologist license if you submit a complete application according to WAC 308-15-030, demonstrating:

(1) You hold a current Washington state geologist license; and

(2) You have demonstrated knowledge of the engineering geology of Washington state; and

(3) You have completed advanced study pertinent to engineering geology and acceptable to the board as follows:

(a) Eighteen semester/twenty-seven quarter hours of graded academic coursework; or

(b) Two hundred seventy hours of seminars or workshops; or

(c) Five hundred forty hours of on-the-job training under the supervision of state-licensed engineering geologists or others who, in the opinion of the board, are qualified to have responsible charge of engineering geologic projects; or

(d) A combination of (a), (b), and (c) of this subsection; and

(4) You have five years of professional engineering geology experience after completion of the advanced study requirements specified in subsection (3) of this section. At least three years of engineering geological experience must be obtained under the supervision of state-licensed engineering geologists or others who, in the opinion of the board, are qualified to have responsible charge of engineering geologic

projects. The following may be considered qualifying engineering geologic experience:

(a) Engineering geological research or teaching at the university or college level, which, in the judgment of the board, is comparable to experience obtained in the practice of engineering geology; and

(b) Up to two years' credit for full-time graduate study in engineering geology or a curriculum containing equivalent academic content approved by the board; and

(5) You have passed the Washington state engineering geologist specialty examination or an examination acceptable to the board.

[Statutory Authority: RCW 18.220.040, 18.220.050. 05-01-174, § 308-15-055, filed 12/21/04, effective 1/21/05.]

WAC 308-15-057 What are the minimum requirements to be eligible for a hydrogeologist specialty license?

You are eligible for a hydrogeologist license if you submit a complete application according to WAC 308-15-030, demonstrating:

(1) You hold a current Washington state geologist license; and

(2) You have demonstrated knowledge of the hydrogeology of Washington state; and

(3) You have completed advanced study pertinent to hydrogeology and acceptable to the board as follows:

(a) Eighteen semester/twenty-seven quarter hours of graded academic coursework; or

(b) Two hundred seventy hours of seminars or workshops; or

(c) Five hundred forty hours of on-the-job training under the supervision of state-licensed hydrogeologists or others who, in the opinion of the board, are qualified to have responsible charge of hydrogeologic projects; or

(d) A combination of (a), (b), and (c) of this subsection; and

(4) You have five years of professional hydrogeology experience after completion of the advanced study requirements specified in subsection (3) of this section. At least three years of hydrogeologic experience must be obtained under the supervision of state-licensed hydrogeologists or others who, in the opinion of the board, are qualified to have responsible charge of hydrogeologic projects. The following may be considered qualifying hydrogeologic experience:

(a) Hydrogeologic research or teaching at the university or college level, which, in the judgment of the board, is comparable to experience obtained in the practice of hydrogeology; and

(b) Up to two years' credit for full-time graduate study in hydrogeology or a curriculum containing equivalent academic content approved by the board; and

(5) You have passed the Washington state hydrogeology specialty examination or an examination acceptable to the board.

[Statutory Authority: RCW 18.220.040, 18.220.050. 05-01-174, § 308-15-057, filed 12/21/04, effective 1/21/05.]

WAC 308-15-060 What are the minimum requirements for obtaining a geologist or specialty license by reciprocity? You are eligible for a geologist or specialty license

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by reciprocity if you submit a complete application according to WAC 308-15-030, demonstrating:

(1) You meet the education and experience requirements in WAC 308-15-040 and, if applying for specialty geologist license, the experience requirements in WAC 308-15-055 or 308-15-057;

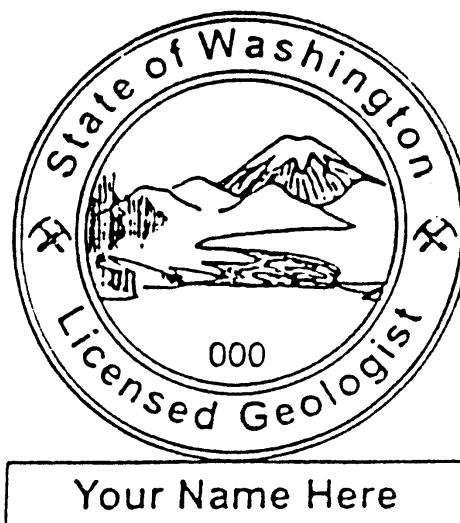
(2) You hold a current geologist, and if applicable, a specialty geologist license, registration, or certification in good standing, issued by a state or jurisdiction approved by the board; and

(3) You have passed the ASBOG examination or an examination acceptable to the board. If you are applying for a specialty geologist license, you must also verify that you have passed a specialty geologist examination adopted by or acceptable to the board.

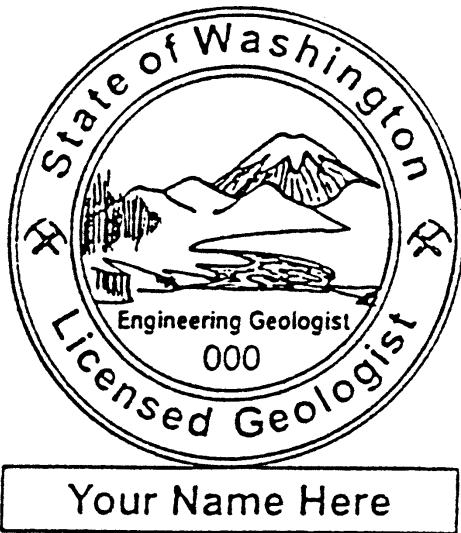
[Statutory Authority: RCW 18.220.040, 18.220.050. 05-01-174, § 308-15-060, filed 12/21/04, effective 1/21/05. Statutory Authority: Chapter 18.220 RCW. 01-12-023, § 308-15-060, filed 5/25/01, effective 6/25/01.]

WAC 308-15-070 Do I need a seal? Upon licensure, you must obtain a seal bearing your name, license number, and the legend "State of Washington Licensed Geologist." If you are licensed as an engineering geologist or hydrogeologist, the specialty must be noted on the seal. Seals may be rubber, embossed, or digitally produced. Facsimiles of the seal designs authorized by the director are shown below. Deviations to the authorized designs are not allowed.

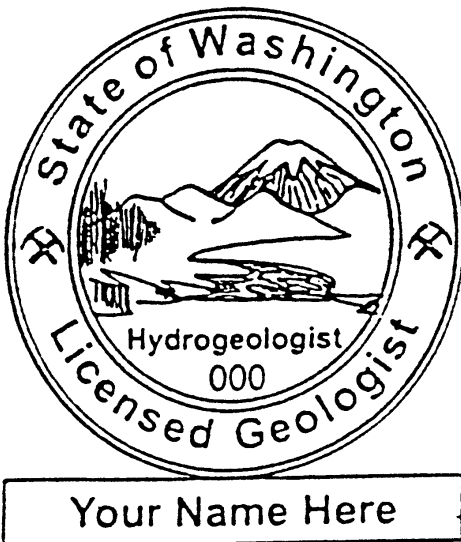
Geologist stamp here



Engineering geologist stamp here



Hydrogeologist stamp here



[Statutory Authority: RCW 18.220.040, 18.220.050, 05-01-174, § 308-15-070, filed 12/21/04, effective 1/21/05. Statutory Authority: Chapter 18.220 RCW, 01-12-023, § 308-15-070, filed 5/25/01, effective 6/25/01.]

WAC 308-15-075 When do I need to use my stamp/seal? (1) You must stamp/seal, sign, and date every final geology or specialty geology report, letter report, or document that is prepared by you or prepared under your supervision or direction and submitted to other parties.

(a) All figures, maps, and plates bound within final reports or documents do not need to be individually stamped/sealed, signed and dated. Unbound final figures, maps, and plates must be individually stamped/sealed, signed and dated.

(b) Preliminary or draft geology or specialty geology work does not have to be stamped/sealed, but the documents and all associated figures, maps, and plates must be clearly marked as preliminary or draft.

(2) You must stamp/seal, sign, and date every final geology or specialty geology design and specification that is prepared by you or prepared under your supervision or direction. Preliminary or draft geology or specialty geology design and

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specification drawings do not have to be stamped/sealed, but each design and specification must be clearly marked as preliminary or draft.

(3) If you stamp/seal, sign and date work performed by someone other than yourself, you are responsible to the same extent as if you prepared the report, design or specification.

[Statutory Authority: RCW 18.220.040, 18.220.050, 05-01-174, § 308-15-075, filed 12/21/04, effective 1/21/05. Statutory Authority: Chapter 18.220 RCW, 01-12-023, § 308-15-075, filed 5/25/01, effective 6/25/01.]

WAC 308-15-080 What do I need to know about renewing or reinstating my license? (1) **Term of license:** Your license will be issued for a period of one year.

(2) **Initial license:** Your first license will expire on your next birthday unless your next birthday falls ninety days or less after the issuance date, in which case your first license will expire on the second birthday following the issuance date.

(3) **Renewal date:** Your license renewal date is your birthday.

(4) **Timely renewal:** It is your responsibility to make a timely renewal whether or not you receive a renewal notice from the department. Your renewal is considered timely if you:

(a) Send the renewal fee to the department on or before your renewal date, as evidenced by the postmark;

(b) Deliver the renewal fee to the department before the close of business on your renewal date; or

(c) Renew your license over the internet on or before your renewal date.

(5) **Invalid license:** If you fail to renew your license according to subsection (4) of this section, your license is invalid. If your license is invalid, you are prohibited from offering and/or providing professional geologist services until the license is renewed or reinstated.

(6) **Late fee:** If you fail to pay your renewal fee within ninety days following your renewal date, you must pay the renewal fee plus a late fee equal to one year's renewal fee.

(7) **Reinstatement:** If you fail to renew your license for a period of five years or more, you may be reinstated upon payment of the current year's renewal fee and a late fee equal to one year's renewal fee. In addition to the payment of fees, you must submit the following:

(a) A signed statement that you are knowledgeable with the current laws and rules governing geologists in Washington state;

(b) A professional resume of your geologist activities during the delinquent period, including licensure in another jurisdiction, with sufficient detail to demonstrate to the board that you have maintained your skills; and

(c) A detailed explanation of the circumstances surrounding the reason you allowed your license to expire.

[Statutory Authority: RCW 18.220.040, 18.220.050, 05-01-174, § 308-15-080, filed 12/21/04, effective 1/21/05. Statutory Authority: Chapter 18.220 RCW, 01-12-023, § 308-15-080, filed 5/25/01, effective 6/25/01.]

WAC 308-15-100 What is a brief adjudicative proceeding (BAP)? The board adopts RCW 34.05.482 through 34.05.494 of the Administrative Procedure Act to administer brief adjudicative proceedings (BAP). These proceedings are conducted at the request of an applicant for reasons set out in

WAC 308-15-101 or at the discretion of the board chair per RCW 34.05.482.

[Statutory Authority: RCW 18.220.040, 18.220.050, 05-01-174, § 308-15-100, filed 12/21/04, effective 1/21/05. Statutory Authority: Chapter 18.220 RCW, 01-12-023, § 308-15-100, filed 5/25/01, effective 6/25/01.]

WAC 308-15-101 When can a brief adjudicative proceeding (BAP) be requested? Requests for a BAP will be conducted where the matter is limited solely to one or more of the following issues:

(1) To determine whether an applicant for licensing meets the minimum criteria for licensing to practice as a geologist or specialty geologist in this state and the board proposes to deny the application;

(2) To determine whether a person is in compliance with the terms and conditions of a final order or agreement previously issued by the board;

(3) To determine whether an applicant qualifies for the exam process; and

(4) To determine whether a license holder requesting renewal or reinstatement has submitted all required information and meets minimum criteria for renewal or reinstatement.

[Statutory Authority: RCW 18.220.040, 18.220.050, 05-01-174, § 308-15-101, filed 12/21/04, effective 1/21/05. Statutory Authority: Chapter 18.220 RCW, 01-12-023, § 308-15-101, filed 5/25/01, effective 6/25/01.]

WAC 308-15-103 How are brief adjudicative proceedings (BAPs) conducted? (1) A presiding officer, designated by the board, conducts brief adjudicative proceedings. The presiding officer will not have personally participated in the decision to issue the initiating document.

(2) The parties or their representatives may present written documentation. The presiding officer will designate the date by which written documents must be submitted by the parties.

(3) The presiding officer may, at the presiding officer's discretion, entertain oral argument from the parties or their representatives.

(4) No witnesses may appear to testify.

(5) In addition to the record, the presiding officer may employ board expertise as a basis for a decision.

(6) The presiding officer will not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer will enter an initial order.

[Statutory Authority: RCW 18.220.040, 18.220.050, 05-01-174, § 308-15-103, filed 12/21/04, effective 1/21/05. Statutory Authority: Chapter 18.220 RCW, 01-12-023, § 308-15-103, filed 5/25/01, effective 6/25/01.]

WAC 308-15-140 What are the rules of professional conduct? (1) **What are the general responsibilities of a geologist?**

(a) A geologist must undertake professional service or render expert opinion only when qualified by training or experience in the technical areas involved.

(b) When serving as an expert or technical witness before a court, commission, or other tribunal, a geologist must express only those opinions founded upon adequate professional knowledge of the matters at issue.

(c) A geologist must sign and stamp/seal only professional work, including, but not limited to, maps and reports for which the geologist has direct professional knowledge, and for which the geologist is in responsible charge.

(d) A geologist must not take credit for work conducted by others. When using the results of other geologists' work in the performance of the practice of geology, a geologist must give due credit to the other geologists by citation or acknowledgement.

(e) A geologist must not make false statements or misrepresentations, or permit the publication or use of the geologist's name or work in association with any fraudulent activities.

(f) A geologist must make full disclosure to all parties concerned of any conflict of interest in projects or properties on which the geologist performs work.

(g) If a geologist's professional judgment is overruled or not adhered to under circumstances where the geologist has reasonable cause to believe there is an imminent threat to the public health, welfare, or property, the geologist must immediately notify the client/employer of the possible consequences. If the client/employer does not take action in a period of time consistent with the level of danger, the geologist must use best efforts to notify the apparent appropriate regulatory agency.

(h) A geologist must issue no statements, criticisms, or arguments on geological matters that are inspired or paid for by interested parties, unless the geologist indicates on whose behalf the statements are made.

(i) A geologist must continue the geologist's professional development throughout the geologist's career, and must provide opportunities for the professional development of those individuals under the geologist's supervision.

(2) What are the specific responsibilities of a geologist to an employer or client?

(a) A geologist must avoid conflicts of interest with a client/employer and must disclose the circumstances to the client/employer if a conflict is unavoidable.

(b) A geologist must not, during the time of the geologist's retention or employment by a client/employer, use information developed for, or the resources of, said client/employer for private gain or in any other manner that may conflict with the client/employer's interest without the knowledge and consent of the client/employer, except as specified in subsection (1)(h) of this section. In the case of former client/employers, a geologist must honor agreements with former client/employers with regard to proprietary information, except as specified by subsection (1)(h) of this section.

(c) A geologist must either engage or advise a client/employer to engage other experts or specialists if the client/employer's interests are best served by such service.

(d) A geologist must not accept compensation concurrently from more than one client/employer on a project, unless the circumstances of payment are fully disclosed and agreed to by all financially interested parties.

(e) A geologist must advise the geologist's employers or clients when, as a result of their studies, the geologist believes a project will not be viable.

(f) A geologist must negotiate contracts for professional services fairly and on the basis of demonstrated competence

and qualifications for the type of professional service required.

(g) A geologist must not request, propose or accept professional compensation on a contingent basis under circumstances in which the geologist's professional judgment may be compromised.

(3) What are the specific responsibilities of a geologist to the board?

(a) A geologist must respond to formal requests of the board within the time frame and in the manner specified by the board in its request.

(b) Geologists, when requested by the board, must present information and assistance to the board in pursuing violations of laws and rules relating to the practice of geology in the state of Washington.

(c) If a geologist has knowledge or reasonable cause to believe another person or geologist is in violation of the licensing law, chapter 18.220 RCW, or the related administrative rules, the geologist must present such information in writing to the board.

(4) What are prohibited acts? The prohibited acts are found in RCW 18.220.130, 18.220.170 and 18.235.130.

[Statutory Authority: RCW 18.220.040, 18.220.050. 05-01-174, § 308-15-140, filed 12/21/04, effective 1/21/05. Statutory Authority: RCW 18.220.040(1), 18.220.050(1). 02-20-072, § 308-15-140, filed 9/30/02, effective 10/31/02.]

WAC 308-15-150 Fees. (1) **Suspension of fees.** Effective March 1, 2006, the listed fees shown in subsection (2) of this section are suspended and replaced with the following:

Renewal Fees

Annual renewal fee for geologist	\$20.00
Annual renewal for each specialty	\$25.00
Annual renewal for geologist, with late fee (<i>if paid ninety days or more after due date</i>)	\$40.00
Annual renewal fee for each specialty, with late fee (<i>if paid ninety days or more after due date</i>)	\$50.00

The fees set forth in this section shall revert back to the fee amounts shown in WAC 308-15-150 on July 1, 2008.

(2) Fees.

Type of Fee	Amount
Application fees - includes initial license	
Application fee for geologist (applying by examination)	\$100.00
Application fee for each specialty (applying by examination)	\$100.00
Application fee for geologist (applying by reciprocity)	\$200.00
Application fee for each specialty (applying by reciprocity)	\$150.00
Examination fees	
Fees for the fundamentals of geology and practice of geology examinations are submitted directly to ASBOG	
Administration fee for reexamination	\$65.00

Type of Fee	Amount
Specialty examination (hydrogeologist or engineering geologist exam)	\$300.00
Renewal fees	
Annual renewal fee for geologist	\$100.00
Annual renewal fee for each specialty	\$85.00
Annual renewal for geologist, with late fee (<i>if paid ninety days or more after due date</i>)	\$200.00
Annual renewal for each specialty, with late fee (<i>if paid ninety days or more after due date</i>)	\$170.00
Miscellaneous fees	
Duplicate license or wall certificate . . .	\$25.00
Certification of license records to other jurisdictions.	\$45.00
Proctor examination for another jurisdiction	\$100.00

[Statutory Authority: RCW 18.220.040, 18.220.050. 06-04-022, § 308-15-150, filed 1/23/06, effective 2/23/06; 05-01-174, § 308-15-150, filed 12/21/04, effective 1/21/05. Statutory Authority: Chapter 18.220 RCW. 01-12-022, § 308-15-150, filed 5/25/01, effective 6/25/01.]

Chapter 308-17 WAC

**PRIVATE INVESTIGATIVE AGENCIES AND
PRIVATE INVESTIGATORS**

WAC

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PART A GENERAL

WAC 308-17-010 Promulgation—Authority. The director of the department of licensing, state of Washington, pursuant to the authority vested in the director by RCW 18.165.170, does hereby promulgate the following rules and regulations relating to the licensing of private investigative agencies, private investigators and armed private investigators.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-010, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-010, filed 11/6/91, effective 12/7/91.]

WAC 308-17-020 Organization. The principal location of the private investigator licensing program is at 405 Black Lake Boulevard SW, Olympia, Washington 98504. The department of licensing administers the Washington private investigator license law, chapter 18.165 RCW. Submissions and requests for information regarding private investigative agency licenses, private investigator licenses, and armed private investigator licenses may be sent in writing to the Private Investigator Program, Department of Licensing, P.O. Box 9045, Olympia, Washington 98507-9045.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-020, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-020, filed 11/6/91, effective 12/7/91.]

WAC 308-17-030 Definitions. (1) Words and terms used in these rules shall have the same meaning as each has under chapter 18.165 RCW unless otherwise clearly provided in these rules, or the context in which they are used in these rules clearly indicates that they be given some other meaning.

(2) "Principal owner" means the sole owner of a private investigative agency.

(3) "Principal partner" means the partner who exercises operational control over a private investigative agency.

(4) "Certified trainer" means a principal or a licensed private investigator or armed private investigator who has fulfilled the requirements of WAC 308-17-320.

(5) "Company identification" in RCW 18.165.160(6), shall include the license card issued by the director to a private investigator or armed private investigator.

(6) "Fire investigator or arson investigator" is anyone who qualifies for certification and has certification by the International Association of Arson Investigators; the National Association of Fire Investigators; or any organization or government body that has a certification program that meets all the requirements of NFPA 1033.

(7) "Address of record" is a physical street address.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-030, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-030, filed 11/6/91, effective 12/7/91.]

PART B LICENSING APPLICATION AND FEES

WAC 308-17-100 Agency applications—Conditions. Any person desiring to be licensed as a private investigative

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agency must substantiate the experience requirements in RCW 18.165.050, or pass an examination as provided in this chapter. Persons meeting the experience requirements shall make application for a license on a form prescribed by the director. Persons who do not meet the experience requirements shall make application for an examination and for a license on a form prescribed by the director. Concurrently, the applicant shall:

(1) Pay a nonrefundable fee or fees as prescribed by WAC 308-17-150.

(2) If the applicant is the qualifying agent of a corporation, he or she shall furnish a certified copy of its articles of incorporation, and a list of its officers and directors and their addresses. If the applicant is the qualifying agent of a foreign corporation, he or she shall furnish a certified copy of certificate of authority to conduct business in the state of Washington, a list of its officers and directors and their addresses, and evidence of current registration with the secretary of state. If the applicant is a partnership or limited partnership, each partner shall apply and furnish their addresses.

(3) When a license is issued to a principal owner he or she shall act as the principal of the agency without the payment of additional license fees. When a license is issued to a corporation the qualifying agent shall act as the principal of the agency without the payment of additional fees. When a license is issued to a partnership the principal partner shall act as the principal of the agency without the payment of additional fees.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-100, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-100, filed 11/6/91, effective 12/7/91.]

WAC 308-17-105 Branch office notification—Conditions. A principal of a private investigative agency shall notify the director of the addresses of all branch offices under the same name as the main office as a part of the agency application. The director shall issue a duplicate license for each of the branch offices showing the location of the main office and the particular branch. Each duplicate license shall be prominently displayed in the office for which it is issued. The principal shall notify the director by mail, within thirty days, of any changes to branch office addresses to include additions or deletions of branches.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-105, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-105, filed 11/6/91, effective 12/7/91.]

WAC 308-17-110 Private investigator applications—Conditions. Any person desiring to be a private investigator shall make application for a license on a form prescribed by the director and pay a nonrefundable fee as prescribed by WAC 308-17-150.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-110, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-110, filed 11/6/91, effective 12/7/91.]

WAC 308-17-120 Armed private investigator applications—Conditions. (1) Any person desiring to be an armed private detective shall obtain a firearms certificate

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from the criminal justice training commission, make application on a form prescribed by the director, and pay a nonrefundable fee as prescribed by WAC 308-17-150.

(2) If the applicant is an alien resident, the applicant must provide proof of their alien firearm license when they submit an application for original or renewal of their armed private investigator license. Proof of alien firearm license may be provided by submitting a copy of their current alien firearm license.

[Statutory Authority: Chapter 18.165 RCW. 03-03-024, § 308-17-120, filed 1/8/03, effective 2/10/03. Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-120, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-120, filed 11/6/91, effective 12/7/91.]

WAC 308-17-130 Application for private investigator and armed private investigator license, licensed in another state—Conditions. Any person applying for a private investigator or armed private investigator license who holds a valid license, registration, identification, or similar card issued by another state that the director has determined has selection, training, and other requirements at least equal to those required by chapter 18.165 RCW shall make application on a form prescribed by the director, pay the fee as prescribed by WAC 308-17-150 for a private investigator or armed private investigator license, and submit evidence of licensure in another state by a license verification form completed by an administrative officer of the licensure authority of such state.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-130, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-130, filed 11/6/91, effective 12/7/91.]

WAC 308-17-140 Comments by chief law enforcement officers and employers. If comments required by RCW 18.165.070(3), are not received by the department within ten working days from the forwarding date, the permanent license for a private investigator shall be issued if he or she is otherwise qualified.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-140, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-140, filed 11/6/91, effective 12/7/91.]

WAC 308-17-150 Private investigative agency, private investigator, and armed private investigator fees. Licenses issued to private investigator agencies and private investigators expire one year from the date of issuance and must be renewed each year. The fees are as follows:

Title of Fee	Fee
Private investigative agency/principal fee:	
Application/examination/ includes first examination	\$600.00
Principal armed endorsement	100.00
Reexamination	25.00
License renewal	350.00
Late renewal penalty	See below*
Change of principal/includes first examination	150.00
Private investigator:	

Title of Fee	Fee
Original license	200.00
Armed endorsement	100.00
Transfer fee	25.00
License renewal	175.00
Late renewal with penalty	200.00
Certified trainer endorsement exami- nation/reexamination	25.00
Certified trainer endorsement renewal	15.00

*Private investigative agency license renewals filed after the license expiration date will be charged the master license service late renewal fee in compliance with RCW 19.02.085.

[Statutory Authority: Chapter 18.165 RCW. 06-13-036, § 308-17-150, filed 6/15/06, effective 7/16/06; 04-12-024, § 308-17-150, filed 5/26/04, effective 7/1/04. Statutory Authority: RCW 43.24.086 and chapter 18.165 RCW. 02-11-098, § 308-17-150, filed 5/20/02, effective 10/1/02. Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-150, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170(1). 93-16-060, § 308-17-150, filed 7/29/93, effective 9/1/93. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-150, filed 11/6/91, effective 12/7/91.]

WAC 308-17-160 Expiration and renewal of licenses.

Licenses issued to private investigators and armed private investigators expire one year from the date of issuance which date will be the renewal date. Licenses issued to private investigative agencies expire one year from the date of issuance which date will be the renewal date, except that if the corporation registration or certificate of authority filed with the secretary of state expires, the agency license issued to the corporation shall expire on that date. Licenses must be renewed each year on or before the date established herein and a renewal license fee as prescribed by the director in WAC 308-17-150 must be paid.

If the application for a renewal license is not received by the director on or before the renewal date, a penalty fee as prescribed by the director in WAC 308-17-150 shall be paid. Acceptance by the director of an application for renewal after the renewal date shall not be a waiver of the delinquency.

The license of any person whose license renewal fee is not received within one year from the date of expiration shall be cancelled. This person may obtain a new license by satisfying the procedures and qualifications for initial licensing, including the successful completion of any applicable training and examination requirements.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-160, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-160, filed 11/6/91, effective 12/7/91.]

WAC 308-17-165 Private investigator and armed private investigator—Termination of services. A person licensed as a private investigator or armed private investigator may perform duties and activities as licensed only under the direction and supervision of a licensed agency principal and as a representative of such principal. This relationship may be terminated unilaterally by either the company principal or private investigator or armed private investigator. Notice of such termination shall be by the agency principal to the director without delay and such notice shall be accompanied by, and include the surrender of, the private investigator

or armed private investigator license held by the agency. Notice of termination shall be provided by signature of the agency principal, or a person authorized by the principal to sign for such principal, on the surrendered license. The termination date shall be the postmark date or date the license is hand delivered to the department. If the license held by the agency cannot be surrendered to the department because the license has been lost, the agency principal or authorized representative shall complete and submit an affidavit of lost license on a form provided by the department.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-165, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-165, filed 11/6/91, effective 12/7/91.]

WAC 308-17-170 Inactive license. (1) Any license issued under chapter 18.165 RCW and not otherwise revoked or suspended shall be deemed "inactive" at any time it is delivered to the director. Until reissued, the holder of an inactive license shall be deemed to be unlicensed.

(2) An inactive license may be placed in an active status upon completion of an application as provided by the director and upon compliance with the rules adopted pursuant to chapter 18.165 RCW.

(3) An inactive license may not be renewed. The inactive license will be cancelled if not activated and renewed within one year of the expiration date. To obtain a new license the person must satisfy the procedures and qualifications for initial licensing, including the successful completion of any applicable training and examination requirements.

(4) The provisions of chapter 18.165 RCW relating to the denial, suspension, and revocation of a license shall be applicable to an inactive license as well as an active license, except that when proceedings to suspend or revoke an inactive license have been initiated, the license shall remain inactive until the proceedings have been completed.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-170, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-170, filed 11/6/91, effective 12/7/91.]

WAC 308-17-180 Application of brief adjudicative proceedings. The director adopts RCW 34.05.482 through 34.05.494 for the administration of brief adjudicative proceedings conducted by request, and/or at the discretion of the director pursuant to RCW 34.05.482 for the categories of matters set forth below. Brief adjudicative proceedings will be limited to a determination of one or more of the following issues:

(1) A determination whether an applicant for a license meets the minimum criteria for a license to practice as a private investigator in this state and the department proposes to deny the application;

(2) A determination whether a person is in compliance with the terms and conditions of a final order or agreement previously issued by the department;

(3) A determination whether an education course or curriculum meets the criteria for approval when approval by the department is required or authorized by statute or rule;

(4) A determination whether a license holder requesting renewal has submitted all required information and meets minimum criteria for renewal; and

(5) A determination whether a license holder has been certified by a lending agency and reported for nonpayment or default on a federally or state-guaranteed student loan or service-conditional scholarship.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-180, filed 8/15/97, effective 9/15/97.]

WAC 308-17-185 Preliminary record in brief adjudicative proceedings. (1) The preliminary record with respect to an application for an original or renewal license or for approval of an education course or curriculum shall consist of:

(a) The application for the license, renewal, or approval and all associated documents;

(b) All documents relied upon by the program in proposing to deny the application, renewal, or approval; and

(c) All correspondence between the applicant for license, renewal, or approval and the program regarding the application.

(2) The preliminary record with respect to determination of compliance with a previously issued final order or agreement shall consist of:

(a) The previously issued final order or agreement;

(b) All reports or other documents submitted by, or at the direction of, the license holder, in full or partial fulfillment of the terms of the final order or agreement;

(c) All correspondence between the license holder and the program regarding compliance with the final order or agreement; and

(d) All documents relied upon by the program showing that the license holder has failed to comply with the previously issued final order or agreement.

(3) The preliminary record with respect to the determination of nonpayment or default by the license holder on a federally or state-guaranteed student loan or service-conditional scholarship shall consist of:

(a) Certification and report by the lending agency that the identified person is in default or nonpayment on a federally or state-guaranteed student loan or service-conditional scholarship; or

(b) A written release, if any issued by the lending agency stating that the identified person is making payment on the loan in accordance with a repayment agreement approved by the lending agency.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-185, filed 8/15/97, effective 9/15/97.]

WAC 308-17-190 Conduct of brief adjudicative proceedings. (1) Brief adjudicative proceedings shall be conducted by a presiding officer for brief adjudicative proceedings designated by the director. The presiding officer for brief adjudicative proceedings shall have agency expertise in the subject matter but shall not have personally participated in the decision to issue the initiating document.

(2) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceeding shall designate the date by which written documents must be submitted by the parties.

(3) The presiding officer for brief adjudicative proceedings may, in his or her discretion, entertain oral argument from the parties or their representatives.

(4) No witnesses may appear to testify.

(5) In addition to the record, the presiding officer for brief adjudicative proceedings may employ agency expertise as a basis for decision.

(6) The presiding officer for brief adjudicative proceedings shall not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer for brief adjudicative proceedings shall enter an initial order.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-190, filed 8/15/97, effective 9/15/97.]

PART C OFFICE REQUIREMENTS AND LICENSEE'S RESPONSIBILITIES

WAC 308-17-205 Filing of licenses. Licenses of all private investigators and armed private investigators shall be on file in the office located at the address appearing on the individual license.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-205, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-205, filed 11/6/91, effective 12/7/91.]

WAC 308-17-210 Change of office location. The principal of a private investigative agency shall notify the department of the change of location and mailing address of the agency office within ten working days by filing a completed change of address application with the department.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-210, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-210, filed 11/6/91, effective 12/7/91.]

WAC 308-17-220 Licensee's responsibilities. It is the responsibility of each and every licensee to obtain a copy of and be knowledgeable of and keep current with the rules implementing chapter 18.165 RCW.

[Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-220, filed 11/6/91, effective 12/7/91.]

WAC 308-17-230 Complaint notification. Every licensee shall, within twenty days after service or knowledge thereof, notify the private investigator program manager of any criminal complaint, information, indictment, or conviction (including a plea of guilty or nolo contendere) in which the licensee is named as a defendant.

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-230, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-230, filed 11/6/91, effective 12/7/91.]

WAC 308-17-240 Required records. The minimum records the principal of a private investigative agency shall be required to keep are[:]

(1) Preassignment training and testing records for each private investigator.

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(2) The company principal shall maintain proof of annual shooting requirements for each armed private investigator employed by the private investigator company in the armed private investigator's training files or employee's files. These records shall be retained and available for inspection by the director or the director's authorized representative for a minimum of three years.

[Statutory Authority: Chapter 18.165 RCW. 03-03-024, § 308-17-240, filed 1/8/03, effective 2/10/03. Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-240, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-240, filed 11/6/91, effective 12/7/91.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

PART D PREASSIGNMENT TRAINING AND EXAMINATION REQUIREMENTS

WAC 308-17-300 Minimum preassignment training and testing requirements. (1) The preassignment training required by RCW 18.165.090, shall include as a minimum four hours of training covering the following areas:

- (a) Legal powers and limitations.
 - (i) Representation and misrepresentation.
 - (A) How to properly identify yourself.
 - (B) Misrepresentation defined.
 - (C) Problems/liability arising out of misrepresentation.
 - (ii) Powers of arrest.
 - (A) Laws pertaining to arrest by private citizen.
 - (B) Probable cause.
 - (C) Potential liability resulting from false arrest claim.
 - (b) Evidence.
 - (i) Definition.
 - (A) Written.
 - (B) Recorded.
 - (C) Material.
 - (ii) Marking.
 - (iii) Storage.
 - (iv) Chain of custody documentation.
- (c) Report writing.
 - (i) Elements of a report.
 - (ii) Fact versus opinion or assumption.
 - (iii) Penmanship.
- (d) Courtroom testimony.
 - (i) Expert witnesses.
 - (ii) Manufacturing evidence.
 - (iii) Perjury.
 - (iv) Discovery.
- (e) Confidentiality/privilege.
- (f) Federal, state, county, and municipal court systems.
- (g) Common sources of public information.
- (i) Court docket information.
 - (ii) U.S. Postal Service.
 - (iii) Voter registration.
- (iv) Credit reporting agencies.
- (v) Department of licensing.
- (vi) Private sources.
- (h) Frequent activities in violation of criminal statutes.
- (i) Privacy laws: Electronic surveillance.

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- (i) Chapter 9.73 RCW privacy violations.
- (ii) U.S. Code violations.
- (iii) Appellate court decisions.
- (A) Explanation of privacy.
- (B) Video/photography.
- (C) Tracking transmissions.
- (j) Fair Credit Reporting Act.
- (i) Permissible purposes of reports.
- (ii) Obtaining information under false pretenses.

(2) The minimum time each private investigator candidate must spend in preassignment training is four hours. The time spent on each required topic may vary providing the time for all required topics totals four hours and the four hours is devoted solely to the topics designated.

(3) All private investigator applicants, after receiving preassignment training and prior to receiving their license, must successfully complete a test designed to demonstrate their understanding and retention of the information learned in the training course. This test shall consist of a minimum of thirty multiple questions based on the training topics outlined above. Test results must be verified and signed by a certified trainer. All applicants must answer all questions correctly on the private investigator preassignment training test. Questions incorrectly answered initially must be reviewed to insure the applicant's understanding and then initialed by both the applicant and the certified trainer verifying knowledge of the correct answer(s).

[Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-300, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-300, filed 11/6/91, effective 12/7/91.]

WAC 308-17-310 Private investigative agency principal examination requirements. (1) All principals of an agency who do not meet the experience requirements required by RCW 18.165.050, must pass an examination demonstrating their knowledge and proficiency in the following areas:

- A. Washington state laws (45% of test)
 - [I.] Private investigators law - chapters 18.165 RCW and 308-17 WAC
 - [II.] All topics contained in the private investigator preassignment training course (WAC 308-17-300)
 - [III.] Chapter 9.73 RCW Privacy, violating right of privacy (e.g. surveillance and wiretapping)
 - [IV.] Chapter 42.17 RCW Public disclosure
 - [V.] Title 9A RCW - Washington state criminal code
 - [VI.] Other resources:
 - Title 2 RCW - Courts of record
 - Title 3 RCW - District courts/courts of limited jurisdictions
 - Title 26 RCW - Domestic relations (e.g. marriage, dissolution, adoption)
 - Title 36 RCW - Counties
 - Title 46 RCW - Motor vehicles (e.g. accidents, forms)
- [B.] Federal law (30% of test)
 - [I.] Federal Privacy Act (5 U.S.C. 522A)
 - [II.] Freedom of Information Act (5 U.S.C. 552)
 - [III.] Fair Credit Reporting Act (15 U.S.C. 1681)
 - [IV.] Federal Wiretapping Act (18 U.S.C.[.])
 - [V.] Gramm-Leach-Bliley Act

- [VI.] United States Code
- [C.] Court systems (7.5% of test)
 - [I.] Federal courts
 - [II.] Title 28 of the U.S. Code
 - [III.] Public Law 101-650
 - [D.] State courts
 - [I.] Chapter 35.20 RCW - Municipal courts
 - [II.] Title 2 RCW Courts of records
 - [III.] Title 3 RCW - District courts/courts of limited jurisdictions
 - [IV.] Title 4 RCW - Civil procedures
 - [V.] Title 5 RCW - Evidence
 - [VI.] Title 6 RCW - Enforcement of judgments
 - [E.] Legal procedures and definitions (10% of test)
 - [I.] Terminology and definitions
 - [II.] Title 9A RCW - Washington state criminal code
 - [III.] Title 2 RCW - Courts of record
 - [IV.] Title 3 RCW - District courts/courts of limited jurisdictions
 - [V.] Title 4 RCW - Civil procedures
 - [VI.] Title 5 RCW - Evidence
 - [VII.] Title 6 RCW - Enforcement of judgments
 - [VIII.] Title 26 RCW - Domestic relations (e.g. marriage, dissolution, adoption)
 - [IX.] Black's law dictionary
 - [F.] Other resources of public information (7.5% of test)
 - [I.] County recorders office
 - [II.] World wide locator
 - [III.] Secretary of state and state recordings
 - [IV.] Computer data bases
 - [V.] Federal and state laws and acts can be found on the internet.

(2) The examination shall consist of 75 questions based on information in the above required areas. Applicants who fail to achieve a passing score will be required to wait a minimum of seven days before reexamination.

[Statutory Authority: Chapter 18.165 RCW. 02-23-060, § 308-17-310, filed 11/18/02, effective 1/1/03. Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-310, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-310, filed 11/6/91, effective 12/7/91.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 308-17-320 Certification of preassignment training trainers. An individual must successfully pass the agency principal examination and have three years investigative experience to become a certified trainer. Individuals who fail the exam will be required to wait a minimum of seven days before reexamination. There is no limit on the number of certified trainers an individual private investigative agency may have certified.

[Statutory Authority: Chapter 18.165 RCW. 02-23-060, § 308-17-320, filed 11/18/02, effective 1/1/03. Statutory Authority: RCW 18.165.170(1), 43.24.086 and 34.05.482. 97-17-051, § 308-17-320, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-320, filed 11/6/91, effective 12/7/91.]

Chapter 308-18 WAC**PRIVATE SECURITY GUARD COMPANIES AND
PRIVATE SECURITY GUARDS****WAC****PART A
GENERAL**

308-18-010	Promulgation—Authority.
308-18-020	Organization.
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**PART B
LICENSING APPLICATION AND FEES**

308-18-100	Company applications—Conditions.
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308-18-110	Private security guard applications—Conditions.
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308-18-145	Comments by chief law enforcement officers and employers.
308-18-150	Private security guard company, private security guard, and armed private security guard fees.
308-18-160	Expiration and renewal of licenses.
308-18-165	Private security guard and armed private security guard—Termination of services.
308-18-170	Inactive license.
308-18-180	Application of brief adjudicative proceedings.
308-18-185	Preliminary record in brief adjudicative proceedings.
308-18-190	Conduct of brief adjudicative proceedings.

**PART C
OFFICE REQUIREMENTS AND LICENSEE'S RESPONSIBILITIES**

308-18-200	Office identification.
308-18-205	Filing of licenses.
308-18-210	Change of office location.
308-18-220	Licensee's responsibilities.
308-18-230	Complaint notification.
308-18-240	Required records.

**PART D
PREASSIGNMENT AND POSTASSIGNMENT TRAINING AND
EXAMINATION REQUIREMENTS**

308-18-300	Minimum preassignment training and testing requirements.
308-18-305	Minimum postassignment and on-the-job training requirements and training topics.
308-18-310	Private security guard company principal examination requirements.
308-18-320	Certification of preassignment training trainers.

**PART A
GENERAL**

WAC 308-18-010 Promulgation—Authority. The director of the department of licensing, state of Washington, pursuant to the authority vested in the director by RCW 18.170.180, does hereby promulgate the following rules and regulations relating to the licensing of private security guard companies, private security guards, and armed private security guards.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-010, filed 11/6/91, effective 12/7/91.]

WAC 308-18-020 Organization. The principal location of the private security guard licensing program is at 405 Black Lake Boulevard S.W., Olympia, Washington 98504. The department of licensing administers the Washington private security guard license law, chapter 18.170 RCW. Submissions and requests for information regarding private secu-

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rity guard company licenses, private security guard licenses, and armed private security guard licenses may be sent in writing to the Private Security Guard Program, Department of Licensing, P.O. Box 9649, Olympia, Washington 98507-9649.

[Statutory Authority: Chapter 18.170 RCW. 05-09-036, § 308-18-020, filed 4/14/05, effective 7/1/05. Statutory Authority: RCW 18.170.180(1), 43.24.-086 and 34.05.482. 97-17-050, § 308-18-020, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-020, filed 11/6/91, effective 12/7/91.]

WAC 308-18-030 Definitions. (1) Words and terms used in these rules shall have the same meaning as each has under chapter 18.170 RCW unless otherwise clearly provided in these rules, or the context in which they are used in these rules clearly indicates that they be given some other meaning.

(2) "Principal owner" means the sole owner of a private security guard company.

(3) "Principal partner" means the partner who exercises operational control over a private security guard company.

(4) "Certified trainer" means a principal or a licensed private security guard or armed private security guard who has fulfilled the requirements of WAC 308-18-320.

(5) "Other item of equipment" in RCW 18.170.170(7), shall include the license card issued by the director to a private security guard or armed private security guard.

(6) "Qualifying agent" means the person who officially represents a private security guard company in obtaining a license to operate and who meets the qualifications of RCW 18.170.060. The qualifying agent of a corporation or a partnership must be authorized to operate and represent the corporation or partnership as a legal agent, such as a managing officer, agent, employee or partner.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-030, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-030, filed 11/6/91, effective 12/7/91.]

**PART B
LICENSING APPLICATION AND FEES**

WAC 308-18-100 Company applications—Conditions. Any person desiring to be licensed as a private security guard company must substantiate the experience requirements in RCW 18.170.060, or pass an examination as provided in this chapter. Persons meeting the experience requirements shall make application for a license on a form prescribed by the director. Persons who do not meet the experience requirements shall make application for an examination and for a license on a form prescribed by the director. Concurrently, the applicant shall:

(1) Pay a nonrefundable fee or fees as prescribed by WAC 308-18-150.

(2) If the applicant is the qualifying agent of a corporation, he or she shall furnish a certified copy of its articles of incorporation, and a list of its officers and directors and their addresses. If the applicant is the qualifying agent of a foreign corporation, he or she shall furnish a certified copy of certificate of authority to conduct business in the state of Washington, a list of its officers and directors and their addresses, and evidence of current registration with the secretary of state. If

the applicant is a partnership or limited partnership, each partner shall apply and furnish their addresses.

(3) When a license is issued to a principal owner he or she shall act as the principal of the company without the payment of additional license fees. When a license is issued to a corporation the qualifying agent shall act as the principal of the company without the payment of additional fees. When a license is issued to a partnership the principal partner shall act as the principal of the company without the payment of additional fees.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-100, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-100, filed 11/6/91, effective 12/7/91.]

WAC 308-18-105 Branch office notification—Conditions. A principal of a private security guard company shall notify the director of the addresses of all branch offices under the same name as the main office as a part of the company application. The director shall issue a duplicate license for each of the branch offices showing the location of the main office and the particular branch. Each duplicate license shall be prominently displayed in the office for which it is issued. The principal shall notify the director by mail, within thirty days, of any changes to branch office addresses to include additions or deletions of branches.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-105, filed 11/6/91, effective 12/7/91.]

WAC 308-18-110 Private security guard applications—Conditions. Any person desiring to be a private security guard shall make application for a license on a form prescribed by the director and pay a nonrefundable fee as prescribed by WAC 308-18-150.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-110, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-110, filed 11/6/91, effective 12/7/91.]

WAC 308-18-120 Armed private security guard applications—Conditions. (1) Any person desiring to be an armed private security guard shall obtain a firearms certificate from the criminal justice training commission, make application on a form prescribed by the director, and pay a nonrefundable fee as prescribed by WAC 308-18-150.

(2) If the applicant is an alien resident, the applicant must provide proof of their alien firearm license when they submit an application for original or renewal of their armed security guard license. Proof of alien firearm license may be provided by submitting a copy of their current alien firearm license.

[Statutory Authority: Chapter 18.170 RCW. 02-24-026, § 308-18-120, filed 11/27/02, effective 1/1/03. Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-120, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-120, filed 11/6/91, effective 12/7/91.]

WAC 308-18-130 Application for private security guard and armed private security guard license, licensed in another state—Conditions. Any person applying for a private security guard or armed private security guard license who holds a valid license, registration, identification, or similar card issued by another state that the director has deter-

mined has selection, training, and other requirements at least equal to those required by chapter 18.170 RCW shall make application on a form prescribed by the director, pay the fee as prescribed by WAC 308-18-150 for a private security guard or armed private security guard, and submit evidence of licensure in another state by a license verification form completed by an administrative officer of the licensure authority of such state.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-130, filed 11/6/91, effective 12/7/91.]

WAC 308-18-140 Private security guard temporary registration card—Conditions. Only those temporary registration cards provided by the department and preprinted with an assigned number and the company's name and address may be used. A private security guard temporary registration card issued by a private security guard company, as authorized by RCW 18.170.090, shall show, as a minimum, the following information:

- (1) Private security guard name.
- (2) Date of issue.
- (3) Date of expiration.
- (4) Name and signature of the certified trainer.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-140, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-140, filed 11/6/91, effective 12/7/91.]

WAC 308-18-145 Comments by chief law enforcement officers and employers. If comments required by RCW 18.170.130(3), are not received by the department within ten working days from the forwarding date, the permanent license for a private security guard shall be issued if he or she is otherwise qualified.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-145, filed 11/6/91, effective 12/7/91.]

WAC 308-18-150 Private security guard company, private security guard, and armed private security guard fees. Licenses issued to private security guard companies and private security guards expire one year from the date of issuance and must be renewed each year. The fees are as follows:

Title of Fee	Fee
Private security guard company/principal:	
Application/includes first examination	\$ 350.00
Reexamination	25.00
License renewal	300.00
Late renewal with penalty	400.00
Change of principal/includes first examination	100.00
Principal armed endorsement	10.00
Private security guard:	
Original license	85.00
Armed endorsement	10.00
Transfer fee	25.00
Licensees with inactive licenses are not required to pay late renewal penalty fees.	
License renewal	55.00

Title of Fee	Fee
Note: License renewals without a Federal Bureau of Investigation background check will be required to pay additional background check fees.	
License late renewal with penalty.	70.00
Late fee is not due if submitting a renewal with a transfer or rehire application.	
Certified trainer endorsement examination/reexamination	25.00
Certified trainer endorsement renewal	15.00
Duplicate license	10.00

[Statutory Authority: Chapter 18.170 RCW and Federal Anti Terrorism and Prevention Act 2004. 07-01-032, § 308-18-150, filed 12/12/06, effective 2/15/07; 05-24-121, § 308-18-150, filed 12/7/05, effective 1/9/06. Statutory Authority: Chapter 18.170 RCW. 04-12-023, § 308-18-150, filed 5/26/04, effective 7/1/04. Statutory Authority: RCW 43.24.086 and chapter 18.170 RCW. 02-07-068, § 308-18-150, filed 3/18/02, effective 7/1/02. Statutory Authority: Chapter 18.170 RCW. 98-24-045, § 308-18-150, filed 11/25/98, effective 1/1/99. Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-150, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170 [18.170.180](1). 93-11-025, § 308-18-150, filed 5/7/93, effective 7/1/93. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-150, filed 11/6/91, effective 12/7/91.]

WAC 308-18-160 Expiration and renewal of licenses.

Licenses issued to private security guards and armed private security guards expire one year from the date of issuance which date will be the renewal date. Licenses issued to private security guard companies expire one year from the date of issuance which date will be the renewal date, except that if the corporation registration or certificate of authority filed with the secretary of state expires, the company license issued to the corporation shall expire on that date. Licenses must be renewed each year on or before the date established herein and a renewal license fee as prescribed by the director in WAC 308-18-150 must be paid.

If the application for a renewal license is not received by the director on or before the renewal date, a penalty fee as prescribed by the director in WAC 308-18-150 shall be paid. Acceptance by the director of an application for renewal after the renewal date shall not be a waiver of the delinquency.

The license of any person whose license renewal fee is not received within one year from the date of expiration shall be cancelled. This person may obtain a new license by satisfying the procedures and qualifications for initial licensing, including the successful completion of any applicable training and examination requirements.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-160, filed 11/6/91, effective 12/7/91.]

WAC 308-18-165 Private security guard and armed private security guard—Termination of services. A person licensed as a private security guard or armed private security guard may perform duties and activities as licensed only under the direction and supervision of a licensed company principal and as a representative of such principal. This relationship may be terminated unilaterally by either the company principal or private security guard or armed private security guard. Notice of such termination shall be by the company principal to the director without delay and such notice shall be accompanied by, and include the surrender of, the private security guard's or armed private security guard's license held by the company. Notice of termination shall be

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provided by signature of the company principal, or a person authorized by the principal to sign for such principal, on the surrendered license. The termination date shall be the postmark date or date the license is hand delivered to the department. If the license held by the company cannot be surrendered to the department because the license has been lost, the company principal or authorized representative shall complete and submit an affidavit of lost license on a form provided by the department.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-165, filed 11/6/91, effective 12/7/91.]

WAC 308-18-170 Inactive license. (1) Any license issued under chapter 18.170 RCW and not otherwise revoked or suspended shall be deemed "inactive" at any time it is delivered to the director. Until reissued, the holder of an inactive license shall be deemed to be unlicensed.

(2) An inactive license may be placed in an active status upon completion of an application as provided by the director and upon compliance with the rules adopted pursuant to chapter 18.170 RCW.

(3) An inactive license may not be renewed. The inactive license will be cancelled if not activated and renewed within one year of the expiration date. To obtain a new license the person must satisfy the procedures and qualifications for initial licensing, including the successful completion of any applicable training and examination requirements.

(4) The provisions of chapter 18.170 RCW relating to the denial, suspension, and revocation of a license shall be applicable to an inactive license as well as an active license, except that when proceedings to suspend or revoke an inactive license have been initiated, the license shall remain inactive until the proceedings have been completed.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-170, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-170, filed 11/6/91, effective 12/7/91.]

WAC 308-18-180 Application of brief adjudicative proceedings. The director adopts RCW 34.05.482 through 34.05.494 for the administration of brief adjudicative proceedings conducted by request for the categories of matters set forth below or at the discretion of the director pursuant to RCW 34.05.482. If an adjudicative proceeding is requested, a brief adjudicative proceeding will be conducted where the matter is limited solely to one or more of the following issues:

(1) A determination whether an applicant for a license meets the minimum criteria for a license to practice as a security guard in this state and the department proposes to deny the application;

(2) A determination whether a person is in compliance with the terms and conditions of a final order or agreement previously issued by the department;

(3) A determination whether an education course or curriculum meets the criteria for approval when approval by the department is required or authorized by statute or rule;

(4) A determination whether a license holder requesting renewal has submitted all required information and meets minimum criteria for renewal; and

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(5) A determination whether a license holder has been certified by a lending agency and reported for nonpayment or default on a federally or state-guaranteed student loan or service-conditional scholarship.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-180, filed 8/15/97, effective 9/15/97.]

WAC 308-18-185 Preliminary record in brief adjudicative proceedings. (1) The preliminary record with respect to an application for an original or renewal license or for approval of an education course or curriculum shall consist of:

(a) The application for the license, renewal, or approval and all associated documents;

(b) All documents relied upon by the program in proposing to deny the application, renewal, or approval; and

(c) All correspondence between the applicant for license, renewal, or approval and the program regarding the application.

(2) The preliminary record with respect to determination of compliance with a previously issued final order or agreement shall consist of:

(a) The previously issued final order or agreement;

(b) All reports or other documents submitted by, or at the direction of, the license holder, in full or partial fulfillment of the terms of the final order or agreement;

(c) All correspondence between the license holder and the program regarding compliance with the final order or agreement; and

(d) All documents relied upon by the program showing that the license holder has failed to comply with the previously issued final order or agreement.

(3) The preliminary record with respect to the determination of nonpayment or default by the license holder on a federally or state-guaranteed student loan or service-conditional scholarship shall consist of:

(a) Certification and report by the lending agency that the identified person is in default or nonpayment on a federally or state-guaranteed student loan or service-conditional scholarship; or

(b) A written release, if any issued by the lending agency stating that the identified person is making payment on the loan in accordance with a repayment agreement approved by the lending agency.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-185, filed 8/15/97, effective 9/15/97.]

WAC 308-18-190 Conduct of brief adjudicative proceedings. (1) Brief adjudicative proceedings shall be conducted by a presiding officer for brief adjudicative proceedings designated by the director. The presiding officer for brief adjudicative proceedings shall have agency expertise in the subject matter but shall not have personally participated in the decision to issue the initiating document.

(2) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceedings shall designate the date by which written documents must be submitted by the parties.

(3) The presiding officer for brief adjudicative proceedings may, in his or her discretion, entertain oral argument from the parties or their representatives.

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(4) No witnesses may appear to testify.

(5) In addition to the record, the presiding officer for brief adjudicative proceedings may employ agency expertise as a basis for decision.

(6) The presiding officer for brief adjudicative proceedings shall not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer for brief adjudicative proceedings shall enter an initial order.

[Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-190, filed 8/15/97, effective 9/15/97.]

PART C OFFICE REQUIREMENTS AND LICENSEE'S RESPONSIBILITIES

WAC 308-18-200 Office identification. Every private security guard company office shall be identified by displaying the name, visible to the public, of the company name as licensed at the address appearing on the license.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-200, filed 11/6/91, effective 12/7/91.]

WAC 308-18-205 Filing of licenses. Licenses of all private security guards and armed private security guards shall be on file in the office located at the address appearing on the individual license.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-205, filed 11/6/91, effective 12/7/91.]

WAC 308-18-210 Change of office location. The principal of a private security guard company shall notify the department of the change of location and mailing address of the company office within ten working days by filing a completed change of address application with the department.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-210, filed 11/6/91, effective 12/7/91.]

WAC 308-18-220 Licensee's responsibilities. It is the responsibility of each and every licensee to obtain a copy of and be knowledgeable of and keep current with the rules implementing chapter 18.170 RCW.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-220, filed 11/6/91, effective 12/7/91.]

WAC 308-18-230 Complaint notification. Every licensee shall, within twenty days after service or knowledge thereof, notify the private security guard program manager of any criminal complaint, information, indictment, or conviction (including a plea of guilty or nolo contendere) in which the licensee is named as a defendant.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-230, filed 11/6/91, effective 12/7/91.]

WAC 308-18-240 Required records. The minimum records the principal of a private security guard company shall be required to keep are:

(1) Preassignment and postassignment training and testing records for each private security guard.

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(2) Private security guard temporary registration card ledger showing the department-supplied registration number, applicant's name, date of issue, date of expiration and date card was forwarded to the director.

(3) The company principal shall maintain proof of annual shooting requirements for each armed security guard employed by the security guard company in the armed security guard's training files or employee's files.

These records shall be retained and available for inspection by the director or the director's authorized representative for a minimum of three years.

[Statutory Authority: Chapter 18.170 RCW, 05-09-036, § 308-18-240, filed 4/14/05, effective 7/1/05; 02-24-026, § 308-18-240, filed 11/27/02, effective 1/1/03. Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-240, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-240, filed 11/6/91, effective 12/7/91.]

PART D

PREASSIGNMENT AND POSTASSIGNMENT TRAINING AND EXAMINATION REQUIREMENTS

WAC 308-18-300 Minimum preassignment training and testing requirements. (1) Except as provided under RCW 18.170.100 (1)(b)(ii), beginning July 1, 2005, all security guards licensed on or after July 1, 2005, must complete at least eight hours of preassignment training. Four hours of the preassignment training classroom and/or on-the-job training shall be in subjects determined by the security guard company principal developed to fit the specific type of duty required by the post. The additional four hours of the preassignment training classroom instruction shall be in the following listed subjects and shall be the contents of the preassignment exam developed by the department:

- (a) **Basic principles.**
 - (i) Basic role of the security guard;
 - (ii) Washington state licensing laws;
 - (iii) Observation;
 - (iv) Proper actions, reactions;
 - (v) Homeland security - terrorism and surveillance.
- (b) **Legal powers and limitations.**
 - (i) Citizens arrest;
 - (ii) Authority to detain, question, or search a private citizen;
 - (iii) Authority to search or seize private property;
 - (iv) Use of force;
 - (v) Avoiding liability.
- (c) **Emergency response.**
 - (i) How to define what is or is not an emergency situation;
 - (ii) Response to fires;
 - (iii) Response to medical emergencies;
 - (iv) Response to criminal acts;
 - (v) Bomb threats.
- (d) **Safety and accident prevention.**
 - (i) Hazardous materials including MSDS;
 - (ii) Accident reporting.
- (e) **Report writing.**
 - Elements and characteristics of a report.

(2) All private security guard applicants, after receiving preassignment training and prior to receiving their license or temporary registration card, must successfully complete an

exam designed and provided by the department to demonstrate understanding and retention of the information learned in the training course on the subjects listed in WAC 308-18-300. The exam shall consist of multiple choice questions. All applicants must answer all questions correctly on the preassignment training exam or questions incorrectly answered must be reviewed to ensure the applicant's understanding and then initialed by both the applicant and the trainer verifying knowledge of the correct answer(s).

[Statutory Authority: Chapter 18.170 RCW, 05-09-036, § 308-18-300, filed 4/14/05, effective 7/1/05. Statutory Authority: RCW 18.170.180(1), 43.24.086 and 34.05.482. 97-17-050, § 308-18-300, filed 8/15/97, effective 9/15/97. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-300, filed 11/6/91, effective 12/7/91.]

WAC 308-18-305 Minimum postassignment and on-the-job training requirements and training topics. (1) Beginning July 1, 2005, all security guards must complete at least eight hours of postassignment or on-the-job training.

(a) Security guards licensed on or after July 1, 2005, are required to complete four hours of postassignment training within the first six months of employment and the remaining four hours completed within the following six months.

(b) Security guards licensed prior to July 1, 2005, are required to complete four hours of postassignment training by December 31, 2005, and the remaining four hours must be completed by July 1, 2006.

(c) Beginning January 1, 2006, the number of required postassignment training hours must be increased by one hour every year until January 1, 2012. The number of postassignment training hours required of a security guard is the number required on the date the security guard is initially licensed by the department. The additional hours of training must be completed within eighteen months after the date a security guard is hired.

(2) The topic areas that must be used for postassignment training are as follows and may also include the subject topics listed under WAC 308-18-300:

- (a) **Basic role of private security guards.**
 - (i) Security awareness;
 - (ii) Private security guards and the criminal justice system;
 - (iii) Information sharing;
 - (iv) Crime and loss prevention.
- (b) **Legal aspects of private security.**
 - (i) Evidence and evidence handling;
 - (ii) Use of force;
 - (iii) Court testimony;
 - (iv) Incident scene preservation;
 - (v) Equal employment opportunity (EEO) and diversity;
 - (vi) State and local laws.
- (c) **Security officer conduct.**
 - (i) Ethics;
 - (ii) Honesty;
 - (iii) Professional image.
- (d) **Observation and incident reporting.**
 - (i) Observation techniques;
 - (ii) Note taking;
 - (iii) Report writing.
- (e) **Principles of communications.**
 - (i) Interpersonal skills;

- (ii) Verbal communication skills;
- (iii) Building relationships with law enforcement;
- (iv) Customer services and public relations;
- (v) Workplace violence.

(f) Principles of access control.

- (i) Enter and exit control procedures;
- (ii) Electronic security systems.

(g) Principles of safeguarding information.

Proprietary and confidential.

(h) Emergency response procedures.

Critical incident response (e.g., natural disasters, accidents, human caused events).

(i) Evacuation processes.

(j) Life safety awareness.

- (i) Safety hazards in the workplace/surroundings;
- (ii) Emergency equipment placement;
- (iii) Fire prevention skills;
- (iv) Hazardous materials;
- (v) Occupational safety and health requirements (e.g., OSHA related training, bloodborne pathogens, etc.).

(k) Job assignment and postorders.

- (i) Assignments and tasks;
- (ii) Patrol.

(3) The required postassignment training records must be attested to by a licensed certified trainer and retained by the company. The postassignment training records must include the following information:

- (a) Security guard name and signature;
- (b) Training topics covered;
- (c) Number of training hours received;
- (d) Date training was completed;
- (e) Certified trainer attesting to the training.

(4) Electronic records and signatures are permitted. The postassignment training records are not required to be submitted to the department, but must be available upon request from the company for three years.

[Statutory Authority: Chapter 18.170 RCW. 05-09-036, § 308-18-305, filed 4/14/05, effective 7/1/05.]

WAC 308-18-310 Private security guard company principal examination requirements. (1) All principals of a company who do not meet the experience requirements required by RCW 18.170.060, must pass an examination demonstrating their knowledge and proficiency in the following areas:

- (a) All topics contained in the private security guard pre-assignment training course.
- (b) Washington state law as it applies to private security guard licensing and regulation.
- (c) Legal/liability issues related to the private security guard industry.
- (d) General security management.

(2) The examination shall consist of a minimum of fifty questions based on information in the above required areas. A score of eighty-five percent must be achieved in order to pass the examination. Applicants who fail to achieve an eighty-five percent score will be required to wait a minimum of seven days before reexamination.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-310, filed 11/6/91, effective 12/7/91.]

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WAC 308-18-320 Certification of preassignment training trainers. An individual must successfully score at least eighty-five percent on the agency principal examination to become a certified trainer. Individuals who fail to obtain an eighty-five percent score will be required to wait a minimum of seven days before reexamination. There is no limit on the number of certified trainers an individual private security guard company may have certified.

[Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-320, filed 11/6/91, effective 12/7/91.]

Chapter 308-19 WAC

BAIL BOND AGENCIES AND BAIL BOND AGENTS

WAC

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Firearms certification procedure through criminal justice training commission.

PART A GENERAL

WAC 308-19-010 Promulgation—Authority. The director of the department of licensing, state of Washington, pursuant to the authority vested in the director by chapter 18.185 RCW, does hereby promulgate the following rules and regulations relating to the licensing of bail bond agencies and bail bond agents and bail bond recovery agents.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-010, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-010, filed 12/13/99, effective 1/13/00. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-010, filed 10/18/93, effective 11/18/93.]

WAC 308-19-020 Organization. The department of licensing administers the Washington bail bond license law, chapter 18.185 RCW. Submissions and requests for information regarding bail bond agency licenses and bail bond agent and bail bond recovery agent licenses may be sent in writing to the Bail Bond Program, Business and Professions Division, Department of Licensing, P.O. Box 9649, Olympia, Washington 98507-9649.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-020, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-020, filed 12/13/99, effective 1/13/00. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-020, filed 10/18/93, effective 11/18/93.]

WAC 308-19-030 Definitions. (1) Words and terms used in these rules shall have the same meaning as each has under chapter 18.185 RCW unless otherwise clearly provided in these rules, or the context in which they are used in these rules clearly indicates that they be given some other meaning. Also see RCW 18.185.010 for other definitions.

(2) "Principal partner" means the partner who is the qualified agent of a bail bond agency and who exercises operational control over the agency.

(3) "Bail bond" means the contract between the defendant, the surety and/or the court to insure the appearance of the accused before the court(s) at such time as the court may direct. These bonds may require annual renewal.

(4) "Property bond agent" means a surety that posts security in the form of personal or real estate for compensation to assure the appearance of a defendant.

(5) "Surety" as it relates to bail bonds, means the depositor/owner of cash if a cash bail bond, the property owner(s) if a property bond, the insurance company if a corporate surety bond, that guarantees performance of the bail bond contract for compensation.

(6) "Principal/defendant" means the accused, for whom a bail bond may be obtained.

(7) "Exonerate" means the discharging of the bail bond by the court.

(8) "Indemnitor" means the person placing security with an agency/agent, to secure the agency against loss for the release of a defendant(s) on a bail bond.

(9) "Clients" means defendants and indemnitors.

(10) "Affidavit" means a written statement made under oath as provided in RCW 10.19.160.

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(11) "Indemnity agreement" means the contract signed by the indemnitor that states the obligations the indemnitor(s) is/are assuming.

(12) "Collateral receipt" means an accurate description of the security given to an indemnitor by the receiving agency's agent, in its fiduciary capacity, listing all collateral given as security for a bail bond and held by the agency/agent until the bail bond is exonerated by the court or a forfeiture occurs. The receipt shall name the owner of the collateral, the defendant, and the bond number, and specify the terms for redemption of the collateral including any fees charged for storage.

(13) "Surrender form" means the form used to return to custody a defendant for violation of bond conditions, and the indemnitor's withdrawal from a bail bond with an affidavit in accordance with RCW 10.19.160, or a letter of forfeiture from a court in accordance to the bail contract.

(14) "Letter of forfeiture" means a notice in varied forms, sent to a bail bond agency/branch office, advising the agency/branch office that a defendant who has secured a bail bond with that agency has failed to appear on a given date in a given court in accordance with RCW 10.19.090. The court has made a demand for the surrender of the defendant, or payment of the face amount of the bond by a given date.

(15) "Letter of demand" means any form of notice to the indemnitor/defendant that the collateral placed in trust has come under jeopardy because of a failure to appear or violation of bail.

(16) "Corporate surety bail bonds" means a bail bond contract that is guaranteed by a domestic, foreign or alien insurance company which has been qualified to transact surety insurance business in Washington state by the insurance commissioner.

(17) "Build-up fund" (also known as "BUF fund" or "escrow fund" or "trust fund") means that percentage of money obtained from collected premiums paid by the agent to the corporate surety company for the purpose of indemnifying the corporate surety from loss caused by the agent.

(18) "Endorsement" means that a bail bond agent or bail bond qualified agent licensee has met all licensing requirements for a bail bond recovery agent license and is authorized to perform the duties of both a bail bond agent and a bail bond recovery agent. Such licenses shall be issued by the department and will clearly state the dual purpose of the license.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-030, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-030, filed 12/13/99, effective 1/13/00. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-030, filed 10/18/93, effective 11/18/93.]

PART B LICENSING APPLICATION AND FEES

WAC 308-19-100 Applying for a bail bond agent license. After the applicant meets the requirements of RCW 18.185.020 he/she shall:

(1) Complete an application for a license on a form provided by the department of licensing.

(2) Inform the department if he/she has an insurance surety license and with what company he/she is affiliated.

(3) Pay a fee or fees as listed in WAC 308-19-130.

[Title 308 WAC—p. 113]

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-100, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-100, filed 12/13/99, effective 1/13/00. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-100, filed 10/18/93, effective 11/18/93.]

WAC 308-19-101 Applying for a bail bond recovery agent license or endorsement to a bail bond agent license.

An applicant for a bail bond recovery agent license endorsement must first meet the requirements stated in the bail bond agents law, RCW 18.185.020, and be in good standing with the department. The following materials must be submitted by all applicants for a bail bond recovery agent license or endorsement:

(1) A bail bond recovery agent license or endorsement application completed in full;

(2) Proof that the applicant directly submitted the completed fingerprint card and fees to the Washington state patrol;

(3) A copy of high school diploma or GED or proof of three years experience in the bail industry;

(4) If applicant is retired or separated from a local or state police department, or a branch of the armed forces trained to carry out the duties of a peace officer within the last six years, submit proof to the department describing length of service, duties and date of retirement or separation or; if applicant is not retired or separated from a local or state police department, or a branch of the armed forces trained to carry out the duties of a peace officer within the last six years, the applicant must submit a certificate or transcript showing the applicant has completed a course consisting of not less than four hours of study which includes the following:

(a) Civil and criminal law;

(i) State statutes relating to bail regulations;

(ii) Constitutional law;

(iii) Procedures for exoneration and surrendering defendants into custody;

(iv) Civil liability;

(v) Civil rights of persons who are detained in custody. The knowledge in law may be accomplished through self-study. Self-study applicants must submit a written statement attesting to their knowledge in the subjects as stated in this section.

(b) Procedures for field operations, including, but not limited to:

(i) Use of force and degrees of force;

(ii) Safety techniques;

(iii) Entering and searching buildings;

(iv) Custody and transportation of prisoners including persons who are mentally ill or under the influence of alcohol or drugs;

(v) Defensive tactics;

(vi) Power of arrest;

(vii) Contracts;

(viii) Powers of a bail bond recovery agent;

(c) The basic principles of identifying and locating defendants. Public records and confidentially; surveillance.

(5) Proof of firearm training shall be submitted by applicants who intend to carry a firearm while engaging in the business of a bail bond recovery agent, or while traveling to or from such business. Such proof may be established by sub-

mission of a firearm certification issued by the criminal justice training commission.

(6) Proof of training certification in the following tools: Taser X/M26, baton either expandable, straight stick, or side handle, and oleo capsicum resin sprays or foams rated at 100,000 to 2,000,000 Scoville Heat Units.

(7) Return completed applications to:

Department of Licensing
Bail Bond Program
P.O. Box 9048
Olympia, WA 98507-9048

(8) Pay a fee or fees as listed in WAC 308-19-130.

(9) After the department receives the completed application and fees, a notification regarding examination dates and times will be mailed to the address of the applicant by the department.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-101, filed 3/30/05, effective 4/30/05.]

WAC 308-19-102 Submitting fingerprint cards to the Washington state patrol for a criminal history background check. Every applicant for a bail bond recovery agent license or endorsement shall have a fingerprint criminal history background check conducted.

(1) The department shall provide fingerprint cards to all applicants.

(2) Applicants shall be fingerprinted by a law enforcement agency on a fingerprint card provided by the department and pay any fees required by the law enforcement agency providing the fingerprinting service.

(3) Applicants shall submit the completed fingerprint card to the Washington state patrol with the appropriate fees charged under WAC 446-20-600, Fees. Checks or money orders made payable to the Washington state patrol, identification and criminal history section, shall be mailed with the fingerprint card to P.O. Box 42633, Olympia, Washington 98504-2633.

(4) Results of the background checks will be sent directly to the department.

(5) If the fingerprint card is rejected by Washington state patrol or the Federal Bureau of Investigation, the applicant will be notified by the department that the applicant must be reprinted and resubmit the fingerprint card to the Washington state patrol with the rejected cards and the attached reject slip.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-102, filed 3/30/05, effective 4/30/05.]

WAC 308-19-105 Applying for a bail bond agency license. To qualify for a bail bond agency license the applicant shall:

Complete the requirements of the bail bond agent license and;

(1) Submit to the department proof of work experience as required under RCW 18.185.030 (1)(b).

(a) Work related experience shall include: Bail bonds, insurance, trust accounts, receiving collateral in a fiduciary capacity, and forms of underwriting.

(b) Applicants who do not have the required work experience shall train and pass an examination as stated under Part D, WAC 308-19-300.

(2) Complete an application for an agency license on a form provided by the department of licensing.

(3) Pay a fee or fees as required by WAC 308-19-130.

(4) Obtain a bond for the main office as required by RCW 18.185.070.

(5) The applicant shall disclose the surety(s) name, address, the attorney in fact, and whose name the build-up fund is in.

If the applicant changes their corporate surety, the applicant shall immediately advise the department.

(6) If the applicant provides security in the form of real property, the applicant shall advise the department of the names of the court(s) that have given approval for the placing of property bonds.

(7) Sole proprietorships shall act as the qualified agent of the agency without the payment of additional license fees.

(8) Partnerships or limited partnership applicants shall each apply, qualify and furnish their addresses to the director.

When a license is issued to a partnership, the principal partner shall act as the qualified agent of the agency without the payment of additional license fees.

(9) Applicants representing a corporation shall furnish a copy of the articles of incorporation, and a list of officers and departments and their addresses to the director.

When an agency license is issued to a corporation, the manager, officer, or chief operating officer shall act as the qualified agent of the agency without the payment of additional license fees.

(10) If the applicant represents a foreign corporation, he/she shall furnish a copy of its articles of incorporation, and a list of its officers and departments and their addresses to the department.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-105, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-105, filed 12/13/99, effective 1/13/00.]

WAC 308-19-107 Responsibilities of the qualified agent. The qualified agent shall be responsible for all transactions, recordkeeping, and the employees of each office he or she is licensed as the qualified agent.

Under 18.185.010(5), a qualified agent is "an owner, sole proprietor, partner, manager, officer, or chief operating officer of a corporation who meets the requirements set forth in this chapter for obtaining a bail bond agency license." The qualified agent essentially serves as "manager" of the bail bond agency, and is responsible for all bail bond transactions conducted by the bail bond agents employed by the agency. See RCW 18.185.100 (qualified agent shall keep required records and ensure safekeeping of collateral or security); RCW 18.185.220 (every branch office must have a qualified agent serving as manager);

Each branch office must be managed by a qualified agent. A qualified agent may serve as a qualified agent of multiple offices. Although the qualified agent remains ultimately responsible for bail bond transactions, a qualified agent is permitted to delegate managerial functions to licensed bail bond agents. However, a qualified agent may not delegate managerial or supervisory functions to unli-

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censed staff because such functions necessarily involve participation in the sale or issuance of bail bonds.

Allowing unlicensed staff to participate in the sale or issuance of bail bonds could lead to charges of aiding or abetting unlicensed activity in violation of RCW 18.185.110(10) and 18.235.130(9).

Any agency going out of business in the state of Washington shall continue to be obligated on all outstanding bonds until the director receives notification from the jurisdiction in which the agency/branch offices are located that all bonds have been exonerated and the department of licensing has received no complaints from indemnitor about the return of collateral. The director may require an audit of the closing agency at any time upon notification of the closing of the agency.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-107, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-107, filed 12/13/99, effective 1/13/00.]

WAC 308-19-110 Applying for a bail bond agency branch office license. A licensed bail bond agency may establish a branch office by meeting the following requirements.

(1) Each branch office shall have a licensed qualified agent.

(2) Complete an application form provided by the department of licensing.

(3) Pay the fee or fees as required under WAC 308-19-130.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-110, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-110, filed 12/13/99, effective 1/13/00. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-110, filed 10/18/93, effective 11/18/93.]

WAC 308-19-120 Bail bond recovery agent, bail bond agency, branch office and agent license applications—Conditions. Any person desiring to obtain a bail bond recovery agent, bail bond agency, bail bond branch office or bail bond agent license shall make application on a form prescribed by the director and pay a fee as prescribed by WAC 308-19-130.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-120, filed 3/30/05, effective 4/30/05. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-120, filed 10/18/93, effective 11/18/93.]

WAC 308-19-130 Bail bond recovery agent, bail bond agency, branch office and bail bond agent fees. The following fees for a one-year period shall be charged by business and professions division of the department of licensing:

Title of Fee	Fee
Bail bond agency/branch office:	
Application	\$1,200.00
License renewal	1,000.00
Late renewal with penalty	1,200.00
Bail bond agent:	
Original license	500.00
License renewal	500.00
Late renewal with penalty	600.00
Change of qualified agent	250.00
Original endorsement to the bail bond agent license	100.00

[Title 308 WAC—p. 115]

Title of Fee	Fee
Endorsement renewal	100.00
Endorsement renewal with penalty	150.00
Bail bond recovery agent license:	
Original license	400.00
License renewal	400.00
Late renewal with penalty	500.00
Examinations:	
Reexamination fee	25.00

[Statutory Authority: Chapter 18.185 RCW. 06-21-082, § 308-19-130, filed 10/17/06, effective 11/17/06; 05-08-027, § 308-19-130, filed 3/30/05, effective 4/30/05. Statutory Authority: RCW 43.24.086 and chapter 18.185 RCW. 02-07-067, § 308-19-130, filed 3/18/02, effective 7/1/02. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-130, filed 10/18/93, effective 11/18/93.]

WAC 308-19-140 Renewal and expiration of licenses and endorsements. (1) Licenses and endorsements issued to bail bond agents, bail bond agencies, branch offices, or bail bond recovery agents expire one year from the date of issue.

(2) Licenses and endorsements must be renewed each year on or before the date of expiration and a renewal fee as prescribed by the director in WAC 308-19-130 must be paid.

(3) If the application for a license or endorsement renewal is not received by the director on or before the renewal date, a penalty fee as prescribed by the director in WAC 308-19-130 shall be paid. Acceptance by the director of an application for renewal after the renewal date shall not be a waiver of the delinquency.

(4) A license or endorsement shall be canceled if an application for a renewal of that license or endorsement is not received by the director within one year from the date of expiration. A person may obtain a new license or endorsement by satisfying the procedures and qualifications for licensing, including the successful completion of any current examination and education requirements.

(5) No bail bond agent, or bail bond agency shall engage in the sale or issuance of bail bonds if their license has expired. No bail bond recovery agent shall perform the duties of a bail bond recovery agent if his/her license has expired.

(6) When the director receives verification that a bail bond agency license has expired or has been revoked or suspended, the director shall advise correction centers.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-140, filed 3/30/05, effective 4/30/05; 04-01-021, § 308-19-140, filed 12/8/03, effective 1/12/04; 00-01-061, § 308-19-140, filed 12/13/99, effective 1/13/00. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-140, filed 10/18/93, effective 11/18/93.]

WAC 308-19-150 Cancellation of employment. (1) A person licensed as a bail bond agent may perform duties and activities as licensed only under the direction and supervision of a licensed qualified agent and as a representative of a bail bond agency.

(2) Either the agency or agent may cancel this relationship. The agency's qualified agent must send a written notice of the cancellation to the department of licensing immediately and include the agent's license held by the agency. Notice of cancellation shall be provided by signature of the agency's qualified agent on the surrendered license. The cancellation date shall be the postmark date or date the license is hand delivered to the department. If the license held by the

agency cannot be surrendered to the department because the license has been lost, the qualified agent shall complete and submit an affidavit of lost license on a form approved by the department explaining why the license has been lost and for how long the license has not been on display.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-150, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-150, filed 12/13/99, effective 1/13/00. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-150, filed 10/18/93, effective 11/18/93.]

WAC 308-19-160 Inactive licenses. (1) Any license issued under chapter 18.185 RCW, and not otherwise revoked or suspended shall be deemed "inactive" at any time it is delivered to the director. Until reissued, the holder of an inactive license shall be deemed to be unlicensed.

(2) An inactive license may be placed in an active status upon completion of an application as provided by the director and upon compliance with chapter 18.185 RCW.

(3) An inactive license may not be renewed. The inactive license will be canceled if not activated by the expiration date. To obtain a new license the person must satisfy the procedures and qualifications for initial licensing, including the successful completion of any examination and education requirements.

(4) The provisions of chapter 18.185 RCW relating to the denial, suspension, and revocation of a license shall be applicable to an inactive license as well as an active license, except that when proceedings to suspend or revoke an inactive license have been initiated, the license shall remain inactive until the proceedings have been completed.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-160, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-160, filed 12/13/99, effective 1/13/00. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-160, filed 10/18/93, effective 11/18/93.]

PART C OFFICE REQUIREMENTS AND LICENSEE'S RESPONSIBILITIES

WAC 308-19-200 Location of license documents. Licenses and endorsements of all bail bond agency and bail bond agents shall be kept in the office located at the address appearing on the license.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-200, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-200, filed 12/13/99, effective 1/13/00. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-200, filed 10/18/93, effective 11/18/93.]

WAC 308-19-210 Change of address. The qualified agent of a bail bond agency shall notify the department of any change of location and mailing address of the agency office within ten working days by filing a completed change of address form approved or provided by the department.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-210, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-210, filed 12/13/99, effective 1/13/00. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-210, filed 10/18/93, effective 11/18/93.]

WAC 308-19-220 Responsibilities as a licensee in addition to the other obligations and responsibilities outlined in chapter 18.185 RCW and chapter 308-19 WAC. It is the responsibility of each and every licensee to obtain a

copy of and be knowledgeable of and keep current with the rules implementing chapter 18.185 RCW.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-220, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-220, filed 12/13/99, effective 1/13/00. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-220, filed 10/18/93, effective 11/18/93.]

WAC 308-19-230 Criminal complaint or action.

Every licensee shall notify in writing, within twenty days after service or knowledge thereof, the office of the bail bond program, business and professions division, department of licensing of any criminal complaint, information, indictment, or conviction (including a plea of guilty or nolo contendere) in which the licensee is named as a defendant.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-230, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-230, filed 12/13/99, effective 1/13/00. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-230, filed 10/18/93, effective 11/18/93.]

WAC 308-19-240 Bail bond agency and branch office required records. The following requirements and prohibitions apply to all records and documents required to be maintained by chapter 18.185 RCW, or in these rules:

(1) They shall be maintained in accordance with generally accepted accounting practices.

(2) No person shall make any false or misleading statement, or make false or misleading entry, or willfully fail to make any entry required to be maintained or made, in any such record or document.

(3) No person shall willfully fail to produce any such record or document for inspection by the department.

(4) The minimum records the qualified agent or principal partner of a bail bond agency shall be required to keep are:

- (a) Bank trust account records;
- (b) Duplicate receipt book or receipt journal;
- (c) Prenumbered checks;
- (d) Check register or cash disbursement journal;
- (e) Validated bank deposit slips;
- (f) Reconciled bank monthly statement (client liability vs bank statement);

(g) All canceled checks;

(h) All voided checks;

(i) "Client information" which includes defendant's name, application, dates of transactions, amount received, amount disbursed, current balance, check number, item(s) covered, indemnitor's agreement, and indemnity agreements, premium receipts, collateral receipt(s), letter(s) of forfeiture or surrender form(s), letter(s) of demand and affidavit(s), if surrendered before a forfeiture has occurred, and any written information or communication that may have influence on the bail bond or collateral placed for the bail bond;

(j) A transaction folder or file containing a copy of all agreements, invoices, billings, and related correspondence for each transaction;

(k) Records or description of all collaterals, securities, or monetary instruments received or held in the bail bond business transactions;

(l) Records of training and/or continuing education for each bail bond agents employed in that agency;

(m) Records of exoneration of all bail bond transactions which include: (i) Court, citation or case number (ii) date of

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issuance of the bail (iii) the defendant's name, address and telephone number (iv) amount of the bond (v) name of the court (vi) date of exoneration of the bond.

(5) The above records shall be maintained for a minimum period of three years.

(6) All funds and monetary instruments received by the agency from customers or clients in business transactions shall be deposited into the trust account within three working days of receipt.

(7) All money spent on behalf of a client must be deposited in and disbursed from the agent's collateral trust account, including advances, loans or money from the agency's business account to the collateral trust account to pay expenses.

(8) The bail bond agent must secure an invoice or billing from any party who provides a service on behalf of the defendant and must include the cost for the service, a description of the service provided, and the service provider's name, address, telephone number, and UBI number (Uniform Business Identifier).

(9) Bail bond agents must secure an affidavit from any party who purchases or takes possession of collateral being liquidated. The affidavit must state the name, address and telephone number of the party(ies) acquiring the property along with a complete description of the property, serial number or other unique identifying number, and the dollar value of the collateral being liquidated with an explanation of how the dollar value was estimated.

(10) If the bail bond agent or agency provides other services to the indemnitor or client, the firm must provide full disclosure in writing of the agent's relationship with any persons providing such services, and prior disclosure of fees charged. The written disclosure must be maintained in the client's transaction file for a minimum period of three years. For purposes of this section, "other services" shall mean services unrelated to the issuance and posting of bail.

(11) The bail bond agent must provide each indemnitor or client a receipt for all personal property. The bail bond agent shall keep a duplicate of all receipts. The receipt will include:

(a) Date of receipt;

(b) Complete description of the property to include serial numbers or other unique identifying numbers;

(c) Signature of the bail bond agent; and

(d) A file or case number the receipt relates to.

(12) The bail bond agent shall maintain an individual ledger card to post all bank charges of any nature, including credit card charges. Accrued interest shall be posted to the individual ledger card. If bank charges exceed the interest earned, causing the trust account to be lower than client liability, the bail bond agent shall immediately deposit funds into the trust account to bring the trust account into balance. For purposes of this subsection, "immediately" shall mean within one banking day after the bail bond agent receives notice that the trust account is lower than client liability. All interest accruing on the trust bank account must be withdrawn at least once monthly.

(13) Contracts as described in RCW 18.185.270(2) between the bail bond agent and the bail bond recovery agent.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-240, filed 3/30/05, effective 4/30/05. Statutory Authority: RCW 43.24.086 and chapter 18.185 RCW. 02-07-067, § 308-19-240, filed 3/18/02, effective 7/1/02. Stat-

utory Authority: Chapter 18.185 RCW. 00-01-061, § 308-19-240, filed 12/13/99, effective 1/13/00. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-240, filed 10/18/93, effective 11/18/93.]

WAC 308-19-250 Bail bond agency audits and inspections. All records required to be maintained by a qualified agent of a bail bond agency by chapter 18.185 RCW, or these rules, together with any other business or other types of records of a licensee which may be related to the bail bond activity, together with any personal property which may be the subject of, or related to, a bail bond business transaction shall be subject to inspection and audit at any reasonable time, with or without notice upon demand by the department of licensing, for the purposes of determining compliance or noncompliance with the provisions of chapter 18.185 RCW, and these rules.

If records requested by the department are not immediately available because they are not physically present upon the premises at the time the demand is made, they shall be procured and produced to the department as soon as possible, but in any event within twenty-four hours, by the licensee.

A reasonable time for the conduct of such inspection and audit shall be:

(1) If the records or items to be inspected or audited are located anywhere upon a premise any portion of which is open for business or to the public (or members and guests), then at any time the premises are so open, or at which they are usually open; or

(2) If the records or items to be inspected or audited are not located upon a premise set out in subsection (1) of this section, then any time between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-250, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-250, filed 12/13/99, effective 1/13/00. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-250, filed 10/18/93, effective 11/18/93.]

PART D

PRELICENSE TRAINING AND EXAMINATION REQUIREMENTS

WAC 308-19-300 Prelicense training and examination requirements for bail bond agents, bail bond agency, and qualified bail bond agent license applicants. (1) The training and examination requirements for bail bond agent license applicants under RCW 18.185.060, shall include, at a minimum:

- (a) Four hours of training in the following subjects:
 - (i) Bail bond licensing laws;
 - (ii) Court procedures relating to bail bonds;
 - (iii) Criminal procedure, Title 10 RCW;
 - (iv) Contracts and bail bond agreements;
 - (v) Preparation of promissory notes, mortgages, deeds of trust, assignments and other documents affecting property;
 - (vi) Care and storage of personal property;
 - (vii) Forfeiture of collateral, judgements and collection;
 - (viii) Washington Insurance Code, Title 48 RCW;
 - (ix) Laws relating to notary publics, chapter 42.44 RCW;
 - (x) Contact with clients, courts and law enforcement;
 - (xi) Sexual harassment.

(b) A licensed qualified agent shall certify on each bail bond agent's license application that the training required in this section has been completed.

(2) The examination requirement for bail bond agency or qualified bail bond agent license applicants under RCW 18.185.030 (1)(a), shall include, as a minimum:

(a) All of the subjects as listed in subsection (1)(a) of this section; and

(b) At a minimum, the following subjects:

(i) Recordkeeping and filing;

(ii) Business licensing, taxation and related reporting and recordkeeping requirements.

(iii) Personnel management;

(iv) Laws relating to employment;

(v) The Americans with Disabilities Act;

(3) The examination for bail bond agency or qualified bail bond agent license applicants shall consist of a minimum of fifty questions covering the subjects listed above in subsection (2)(a) and (b) of this section. A score of eighty-five percent must be achieved in order to pass the examination. Applicants who fail to achieve an eighty-five percent score will be required to wait a minimum of fourteen days before reexamination.

(4) The director will certify training and examination programs for bail bond qualified agents and bail bond agents license applications.

(5) Every bail bond agent shall present to the director a letter stating training they have received while working as a trainee for an agency, including the name of the principal instructor before the director issues the person a bail bond license. This letter shall be signed by the qualified agent and shall also include a statement that the qualified agent is aware that they are taking responsibility for the agent.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-300, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-300, filed 12/13/99, effective 1/13/00. Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-300, filed 10/18/93, effective 11/18/93.]

WAC 308-19-305 Minimum prelicense training requirements and exceptions for bail bond recovery agents.

(1) Applicants for a license or an endorsement as a bail bond recovery agent must complete not less than four hours of a course of self-study, training and/or certification in the following subjects, except as otherwise provided in this section.

(a) Prelicense training in civil or criminal law can be achieved through public or private instruction or self-study and must include the following training topics:

- (i) State statutes relating to bail regulations;
- (ii) Constitutional law;
- (iii) Procedures for surrendering defendants into custody;
- (iv) Procedures for exoneration;
- (v) Civil liability;
- (vi) Civil rights of persons who are detained in custody;
- (vii) Basic principles of identifying and locating defendants to include public records and confidentially, and surveillance;
- (viii) Contracts;
- (ix) Powers of a bail bond recovery agent;

(b) Prelicense training in procedures for field operations can be achieved through public or private instruction and must include the following training and certifications:

(i) Training in use of force and degrees of force, including verbal, Taser X/M26, baton either expandable, straight stick, or side handle, and oleo capsicum resin sprays or foams rated at 100,000 to 2,000,000 Scoville Heat Units.

(ii) Certification in the following defensive tools, Taser X/M26, baton either expandable, straight stick, or side handle, and oleo capsicum resin sprays or foams rated at 100,000 to 2,000,000 Scoville Heat Units within twelve months of applying for a license or endorsement;

(iii) Safety techniques;

(iv) Entering and searching buildings;

(v) The custody and transportation of prisoners including persons who are violent, emotionally disturbed or under the influence of alcohol, or drugs;

(vi) Defensive tactics;

(vii) Application of restraints/handcuffing procedures;

(viii) All applicants shall obtain firearm training from an approved trainer, or applicants intending to carry a firearm as a bail bond recovery agent shall obtain and keep current firearm certification from the criminal justice training commission.

(2) In place of completing the prelicense training in procedures for field operations established in subsection (1) of this section required under RCW 18.185.260, an applicant may submit proof to the department that he/she has completed a course of training required by a municipal, state or federal law enforcement agency or a branch of the armed forces to carry out the duties of a peace officer within the past six years.

(3) Applicants may submit proof of previously meeting prelicense training requirements in procedures for field operations in subsection (1) of this section between May 1, 2005, and July 1, 2005. The purpose of this rule is to allow applicants advance notice whether or not the applicant will be required to take additional training before the license requirements are in effect on January 1, 2006. The proof must be submitted in writing and include: The applicant's name, address and telephone number, the name, address, and telephone number of the training facility attended, a copy of the training curriculum which the applicant received training in, including the number of hours devoted to each topic, and documentation of certification of training accomplishments related to the training requirements set forth in subsection (1) of this section. The department will issue written notification to the applicant, stating acceptance of the prelicense training received, or a written notification and explanation for the department's denial of the prelicense training received.

(4) The training the applicant receives should prepare the applicant to achieve a passing score on the written examination administered under chapter 18.185 RCW.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-305, filed 3/30/05, effective 4/30/05.]

WAC 308-19-310 Prelicense examination requirements for bail bond recovery agents. Each applicant for a bail bond recovery agent license or endorsement shall pass an examination demonstrating their knowledge and proficiency in all of the training requirements set forth in WAC 308-19-

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305. The examination shall consist of fifty questions. Applicants shall correctly answer thirty-five examination questions to pass the examination. Applicants who fail to achieve a passing score will be required to wait a minimum of seven days before reexamination and pay the required reexamination fee.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-310, filed 3/30/05, effective 4/30/05.]

WAC 308-19-315 Study guide for the prelicense bail bond recovery agent examination. All of the information listed below can be found on the internet. Public libraries offer free access to the use of the internet. Applicants may also access this study guide on the department's internet web site and will link directly to the study resource material.

(1) Chapter 18.185 RCW.

(2) Chapter 9.73 RCW Privacy.

(3) Chapter 42.17 RCW (sections 250 through 348) Public disclosure.

(4) Title 9A RCW (chapters 04, 08, 16, 36, 40, 42, 46, 50, 52, 56, 60, 68, 72, 76, 82) Washington state criminal code.

(5) Chapter 10.19 RCW Appearance bonds.

(6) Chapter 10.88 RCW Uniform Criminal Extradition Act.

(7) Chapter 9.41 RCW Firearms and dangerous weapons.

(8) Federal Privacy Act (5 U.S.C. 552A).

(9) Freedom of Information Act (5 U.S.C. 552).

(10) Fair Credit Reporting Act (15 U.S.C. 1681).

(11) Federal Wiretapping Act (18 U.S.C.).

(12) Gramm-Leach-Bliley Act.

(13) Title 28 of the U.S. Code.

(14) Chapter 35.20 RCW Municipal courts.

(15) Title 2 RCW Courts of records.

(16) Title 3 RCW District courts/courts of limited jurisdictions.

(17) Title 4 RCW Civil procedures.

(18) Taylor vs. Taintor.

(19) Washington criminal justice training commission use of force continuum.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-315, filed 3/30/05, effective 4/30/05.]

WAC 308-19-320 Minimum education requirements for bail bond recovery agents. All applicants for a bail bond recovery agent license or endorsement shall have a minimum of a high school education or GED or a minimum of three years of full-time, verifiable experience in the bail bond industry.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-320, filed 3/30/05, effective 4/30/05.]

PART F BRIEF ADJUDICATIVE PROCEEDINGS

WAC 308-19-400 Brief adjudicative proceeding. The director adopts RCW 34.05.482 through 34.05.494 for the administration of brief adjudicative proceedings conducted by request, and/or at the discretion of the director pursuant to RCW 34.05.482, for the categories of matters set forth below.

[Title 308 WAC—p. 119]

Brief adjudicative proceedings will be limited to a determination of one or more of the following issues:

(1) Whether an applicant for a license meets the minimum criteria for a license to practice as a bail bond recovery agent, bail bond agency, qualified agent, branch office or bail bond agent in this state and the department proposes to deny the application;

(2) Whether a person is in compliance with the terms and conditions of a final order or agreement previously issued by the department;

(3) Whether an education course or curriculum meets the criteria for approval when approval by the department is required or authorized by statute or rule;

(4) Whether a license holder requesting renewal has submitted all required information and whether a license holder meets minimum criteria for renewal; and

(5) Whether a license holder has been certified by a lending agency and reported to the department for nonpayment or default on a federally or state-guaranteed educational loan or service-conditional scholarship.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-400, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-400, filed 12/13/99, effective 1/13/00. Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-047, § 308-19-400, filed 5/1/97, effective 6/1/97.]

WAC 308-19-410 Records used in a brief adjudicative proceeding. (1) The preliminary record with respect to an application for an original or renewal license or for approval of an education course or curriculum shall consist of:

(a) The application for the license, renewal, or approval and all associated documents;

(b) All documents relied upon by the department in proposing to deny the license, renewal, or approval; and

(c) All correspondence between the applicant for license, renewal, or approval and the department regarding the application.

(2) The preliminary record with respect to determination of compliance with a previously issued final order or agreement shall consist of:

(a) The previously issued final order or agreement;

(b) All reports or other documents submitted by, or at the direction of, the license holder, in full or partial fulfillment of the terms of the final order or agreement;

(c) All correspondence between the license holder and the department regarding compliance with the final order or agreement; and

(d) All documents relied upon by the department showing that the license holder has failed to comply with the previously issued final order or agreement.

(3) The preliminary record with respect to the determination of nonpayment or default by the license holder on a federally or state-guaranteed educational loan or service-conditional scholarship shall consist of:

(a) Certification and report by the lending agency that the identified person is in default or nonpayment on a federally or state-guaranteed educational loan or service-conditional scholarship; or

(b) A written release, if any, issued by the lending agency stating that the identified person is making payment

on the loan in accordance with a repayment agreement approved by the lending agency.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-410, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-410, filed 12/13/99, effective 1/13/00. Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-047, § 308-19-410, filed 5/1/97, effective 6/1/97.]

WAC 308-19-420 Conducting a brief adjudicative proceeding. (1) Brief adjudicative proceedings shall be conducted by a presiding officer for brief adjudicative proceedings designated by the director. The presiding officer for brief adjudicative proceedings shall not have personally participated in the decision, which resulted in the request for a brief adjudicative proceeding.

(2) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceedings shall designate the date by which written documents must be submitted by the parties.

(3) The presiding officer for brief adjudicative proceedings may, in his or her discretion, entertain oral argument from the parties or their representatives.

(4) No witnesses may appear to testify.

(5) In addition to the record, the presiding officer for brief adjudicative proceedings may employ department expertise as a basis for the decision.

(6) The presiding officer for brief adjudicative proceedings shall not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer for brief adjudicative proceedings shall enter an initial order.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-420, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-420, filed 12/13/99, effective 1/13/00. Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-047, § 308-19-420, filed 5/1/97, effective 6/1/97.]

WAC 308-19-430 False or misleading advertising. (1) Every advertisement by a licensee that solicits or advertises business shall contain the name of the business exactly as stated on the bail bond agency license, and the physical address of the business as stated on the bail bond agency license, and the bail bond agency license number. A licensed bail bond agency may advertise under a registered trade name of the licensee provided that the registered trade name is stated exactly as documented with the state of Washington master license service. Licensees under this chapter must notify the department in writing, of any registered trade names intended for use in future advertising.

(2) Telephone book directory listings that are for the purpose of providing the business name, address, and telephone number only, are not required to include the license number.

(3) The department has authority to discipline bail bond agents for advertising that is false, fraudulent or misleading, RCW 18.185.110(5) and 18.235.130(3).

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-430, filed 3/30/05, effective 4/30/05; 00-01-061, § 308-19-430, filed 12/13/99, effective 1/13/00.]

WAC 308-19-440 Standards of professional conduct. (1) A bail bond agent shall maintain a detailed record of any collateral taken as security on any bond to the principal, indemnitor, or depositor of such collateral.

(2) A bail bond agent shall preserve or retain separately any collateral or to retain any collateral taken as security on any bond.

(3) A bail bond agent shall not have an outstanding judgment on a bail forfeiture, which judgment is or has been subject to execution on demand.

(4) A bail bond agent shall not use a relationship with any person employed by a jail facility to obtain referrals, or pay a fee or rebate or give or promise anything of value to any person having the power of arrest or having control of federal, state, county, or municipal prisoners, trustees or prisoners incarcerated in any jail, prison or any other place used for the incarceration of persons.

(5) A bail bond agent shall not require as a condition of his/her executing a bail bond that the principal or defendant agree to engage the services of a specific attorney.

(6) A bail bond agent shall not prepare or issue forged bonds or a forged power of attorney.

(7) A bail bond agent shall not arrest or make a threat of arrest to a defendant when the defendant or the indemnitor fails to fulfill a promise to repay credit extended by the bail bond agent.

(8) A bail bond agent shall not pay a fee or rebate or give or promise anything of value to the principal or anyone on his or her behalf.

(9) A bail bond agent shall not pay a fee or rebate or give anything of value to an attorney in bail bond matters, except for legal services actually rendered on behalf of the bail bond agent.

(10) A bail bond agent shall not pay a fee or rebate or pay for a referral except from another bonding company, or promise anything of value to a person in order to secure a settlement, compromise, remission or reduction of the amount of any bail bond.

[Statutory Authority: Chapter 18.185 RCW. 00-01-061, § 308-19-440, filed 12/13/99, effective 1/13/00.]

WAC 308-19-445 Contract requirements between the bail bond agent and the bail bond recovery agent. The purpose of the contract as required in RCW 18.185.270 is to provide information to the public and law enforcement officers to clarify authority and to identify the parties involved during the act of locating and apprehending a fugitive. The contract is to administrate the transfer of information regarding the identity of the fugitive.

(1) There shall be an individual contract on a form provided by the department between the bail bond agent and the bail bond recovery agent for each fugitive.

(2) A bail bond agent shall provide a bail bond recovery agent a copy of each individual contract on a form provided by the department.

(3) The contract form provided by the department shall not prevent a bail bond agent or a bail bond recovery agent from having additional contracts or agreements for conducting the course of their business transaction.

(4) The bail bond agent shall provide to the bail bond recovery agent a photograph of the fugitive if one is available.

(5) The original signed contract shall be kept by the bail bond agency for at least three years and be made available upon request by the department.

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(6) Facsimile signatures shall be as effective as if originals.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-445, filed 3/30/05, effective 4/30/05.]

WAC 308-19-450 Planned forced entry—Procedure requirements. When the apprehension of a fugitive defendant meets the definition of RCW 18.185.010(12) Planned forced entry, the bail bond recovery agent shall follow the procedure requirements in RCW 18.185.300.

In addition to the minimum notification requirements of RCW 18.185.300, the notification to law enforcement must provide any prior known risk factors of which the bail bond recovery agent is aware including knowledge regarding any warrants.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-450, filed 3/30/05, effective 4/30/05.]

WAC 308-19-455 Bail bond recovery agent badge. The approved badge for bail bond recovery agents is a round gold star burst with a round blue ribbon with gold letters stating bail bond recovery agent. The center of the badge displays a picture of the liberty bell and lady justice. If the license number is attached beneath the badge, the department issued license number shall be used.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-455, filed 3/30/05, effective 4/30/05.]

WAC 308-19-460 Firearms certification procedure through criminal justice training commission. Individuals licensed as a bail bond recovery agent who carry a firearm while performing the duties of a bail bond recovery agent shall be required to successfully complete a prescribed course of instruction from a certified instructor of the Washington State Criminal Justice Training Commission located at 19010 1st Avenue South, Burien, Washington 98140 - Telephone: 206-835-7300.

[Statutory Authority: Chapter 18.185 RCW. 05-08-027, § 308-19-460, filed 3/30/05, effective 4/30/05.]

Chapter 308-20 WAC

COSMETOLOGY—BARBER—MANICURIST—ESTHETICIAN RULES

WAC

308-20-010	Definitions.
308-20-040	Student records.
308-20-055	Apprentice records.
308-20-080	Minimum instruction guidelines for cosmetology, barbering, manicuring and esthetics training.
308-20-090	Student credit for training in a licensed school.
308-20-091	Student credit for training in a licensed salon/shop.
308-20-101	Apprentice credit for training in an approved apprentice salon/shop.
308-20-105	Minimum instruction requirements for instructor-trainees.
308-20-107	Use and training of instructor-trainees.
308-20-110	Minimum safety and sanitation standards for schools, cosmetologists, manicurists, estheticians, barbers, instructors, salons/shops, mobile units and personal services.
308-20-115	Reciprocity—Persons licensed in other jurisdictions.
308-20-120	Written and performance examinations.
308-20-122	Examination retakes.
308-20-123	Examination appeal.
308-20-190	Restricted license.

308-20-210	Fees.
308-20-520	Minimum salon/shop, mobile unit, and personal services licensing standards.
308-20-550	Posting of required licenses, registrations, permits, and notice to consumers.
308-20-555	Identification of apprentices and apprentice salon/shops.
308-20-560	Salon/shop, mobile unit, and personal services location license renewal process.
308-20-570	Operator and instructor renewal process.
308-20-575	School license renewal process.
308-20-600	Disinfecting and sterilizing of tools and other implements.
308-20-610	Chemical use and storage.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-20-001	Authority and purpose. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-001, filed 7/17/92, effective 8/17/92.] Repealed by 01-01-083, filed 12/14/00, effective 1/14/01. Statutory Authority: RCW 18.16.030(2).
308-20-005	Applicable statutes. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-005, filed 7/17/92, effective 8/17/92.] Repealed by 01-01-083, filed 12/14/00, effective 1/14/01. Statutory Authority: RCW 18.16.030(2).
308-20-020	Term of course—Examination eligibility. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-020, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 91-11-042, § 308-20-020, filed 5/10/91, effective 6/10/91; 88-19-047 (Order PM 772), § 308-20-020, filed 9/14/88. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-020, filed 9/12/84.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
308-20-030	Curriculum structure. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-030, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 91-11-042, § 308-20-030, filed 5/10/91, effective 6/10/91; 88-19-047 (Order PM 772), § 308-20-030, filed 9/14/88. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-030, filed 9/12/84.] Repealed by 02-04-012, filed 1/24/02, effective 6/30/02. Statutory Authority: RCW 18.16.030(2).
308-20-045	Performance examination. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-045, filed 7/17/92, effective 8/17/92.] Repealed by 02-04-012, filed 1/24/02, effective 6/30/02. Statutory Authority: RCW 18.16.030(2).
308-20-050	Change in ownership of school. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-050, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 91-11-042, § 308-20-050, filed 5/10/91, effective 6/10/91; 88-19-047 (Order PM 772), § 308-20-050, filed 9/14/88. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-050, filed 9/12/84.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
308-20-060	Approved security (surety bond, savings assignment, or irrevocable letter of credit). [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-060, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 88-19-047 (Order PM 772), § 308-20-060, filed 9/14/88. Statutory Authority: RCW 18.16.030(2) and 18.16.140 as amended by 1987 c 445 § 1. 87-21-010 (Order PM 681), § 308-20-060, filed 10/9/87. Statutory Authority: 1984 c 308. 84-21-096 (Order PL 491), § 308-20-060, filed 10/19/84.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
308-20-070	Training guidelines. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-070, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 91-11-042, § 308-20-070, filed 5/10/91, effective 6/10/91; 88-19-047 (Order PM 772), § 308-20-070, filed 9/14/88. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-070, filed

308-20-095	Examination eligibility of applicants from out-of-state schools. [Statutory Authority: RCW 18.16.030. 91-11-042, § 308-20-095, filed 5/10/91, effective 6/10/91.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
308-20-100	Recording student hours. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-100, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 88-19-047 (Order PM 772), § 308-20-100, filed 9/14/88. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-100, filed 9/12/84.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
308-20-109	Instructor-trainee credit for training. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-109, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 88-19-047 (Order PM 772), § 308-20-109, filed 9/14/88.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
308-20-130	Examination objectives. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-130, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 88-19-047 (Order PM 772), § 308-20-130, filed 9/14/88. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-130, filed 9/12/84.] Repealed by 02-04-012, filed 1/24/02, effective 6/30/02. Statutory Authority: RCW 18.16.030(2).
308-20-140	Examination—Application. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-140, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 91-11-042, § 308-20-140, filed 5/10/91, effective 6/10/91. Statutory Authority: RCW 18.16.030 and 43.24.086. 90-07-030, § 308-20-140, filed 3/14/90, effective 4/14/90. Statutory Authority: RCW 18.16.030. 88-19-047 (Order PM 772), § 308-20-140, filed 9/14/88. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-140, filed 9/12/84.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
308-20-150	Student appeal—Examination eligibility denial by the school. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-150, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 88-19-047 (Order PM 772), § 308-20-150, filed 9/14/88. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-150, filed 9/12/84.] Repealed by 02-04-012, filed 1/24/02, effective 6/30/02. Statutory Authority: RCW 18.16.030(2).
308-20-155	Procedure for applicants requiring special accommodations for licensure examination. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-155, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030 and 43.24.086. 90-07-030, § 308-20-155, filed 3/14/90, effective 4/14/90. Statutory Authority: RCW 18.16.030. 88-19-047 (Order PM 772), § 308-20-155, filed 9/14/88.] Repealed by 02-04-012, filed 1/24/02, effective 6/30/02. Statutory Authority: RCW 18.16.030(2).
308-20-160	Release of results of examination. [Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-160, filed 9/12/84.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.
308-20-171	Passing scores on all examinations. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-171, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 88-19-047 (Order PM 772), § 308-20-171, filed 9/14/88. Statutory Authority: RCW 18.16.090, 18.16.020(11) and 18.16.030(2). 87-01-006 (Order PM 614), § 308-20-171, filed 12/5/86. Statutory Authority: 1984 c 208 §

- 7(2). 85-01-044 (Order PL 502), § 308-20-171, filed 12/13/84.] Repealed by 02-04-012, filed 1/24/02, effective 6/30/02. Statutory Authority: RCW 18.16.030(2).
- 308-20-172 Failed examination appeal procedures. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-172, filed 1/23/92, effective 2/23/92.] Repealed by 02-04-012, filed 1/24/02, effective 6/30/02. Statutory Authority: RCW 18.16.030(2).
- 308-20-175 Persons licensed in other jurisdictions. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-175, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 91-11-042, § 308-20-175, filed 5/10/91, effective 6/10/91.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-20-180 Posting of license. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-180, filed 1/23/92, effective 2/23/92. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-180, filed 9/12/84.] Repealed by 03-14-046, filed 6/24/03, effective 7/25/03. Statutory Authority: RCW 18.16.030 and 43.24.023.
- 308-20-200 Fees. [Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-200, filed 9/12/84.] Repealed by 87-10-028 (Order PM 650), filed 5/1/87. Statutory Authority: RCW 43.24.086.
- 308-20-205 License renewal—Penalties. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-205, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 88-19-047 (Order PM 772), § 308-20-205, filed 9/14/88. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-205, filed 9/12/84.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-20-208 Grandfather provisions. [Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-208, filed 1/23/92, effective 2/23/92.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-20-310 Minimum sanitation, safety and health standards for all individual licensees. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-310, filed 7/17/92, effective 8/17/92.] Repealed by 02-04-012, filed 1/24/02, effective 6/30/02. Statutory Authority: RCW 18.16.030(2).
- 308-20-500 Definitions. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-500, filed 7/17/92, effective 8/17/92.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.
- 308-20-510 Minimum operator licensing standards. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-510, filed 7/17/92, effective 8/17/92.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-20-530 Minimum licensing requirements. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-530, filed 7/17/92, effective 8/17/92.] Repealed by 03-14-046, filed 6/24/03, effective 7/25/03. Statutory Authority: RCW 18.16.030 and 43.24.023.
- 308-20-540 Application process. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-540, filed 7/17/92, effective 8/17/92.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-20-545 License issuance. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-545, filed 7/17/92, effective 8/17/92.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
- 308-20-590 Minimum business location sanitation, safety, and health standards. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-590, filed 7/17/92, effective 8/17/92.] Repealed by 02-04-012, filed 1/24/02, effective 6/30/02. Statutory Authority: RCW 18.16.030(2).
- 308-20-630 Worker right to know. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-630, filed 7/17/92, effective 8/17/92.] Repealed by 01-01-083, filed 12/14/00, effective 1/14/01. Statutory Authority: RCW 18.16.030(2).
- 308-20-640 Educational, medical, first aid, and accident prevention programs. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-640, filed 7/17/92, effective 8/17/92.] Repealed by 01-01-083, filed 12/14/00, effective 1/14/01. Statutory Authority: RCW 18.16.030(2).
- 308-20-670 Pets on the premises. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-670, filed 7/17/92, effective 8/17/92.] Repealed by 01-01-083, filed 12/14/00, effective 1/14/01. Statutory Authority: RCW 18.16.030(2).
- 308-20-680 Compliance with state, federal, and local building codes. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-680, filed 7/17/92, effective 8/17/92.] Repealed by 01-01-083, filed 12/14/00, effective 1/14/01. Statutory Authority: RCW 18.16.030(2).
- 308-20-690 Inspection of premises. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-690, filed 7/17/92, effective 8/17/92.] Repealed by 01-01-083, filed 12/14/00, effective 1/14/01. Statutory Authority: RCW 18.16.030(2).
- 308-20-700 Penalty for failure to obtain operator or location licenses or comply with statutes of regulatory authorities. [Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-700, filed 7/17/92, effective 8/17/92.] Repealed by 01-01-083, filed 12/14/00, effective 1/14/01. Statutory Authority: RCW 18.16.030(2).
- 308-20-710 Application of brief adjudicative proceedings. [Statutory Authority: RCW 18.16.030 and 43.24.023. 03-14-046, § 308-20-710, filed 6/24/03, effective 7/25/03. Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-049, § 308-20-710, filed 5/1/97, effective 6/1/97.] Repealed by 06-10-007, filed 4/20/06, effective 5/21/06. Statutory Authority: RCW 18.16.030. Later promulgation, see chapter 308-08 WAC.
- 308-20-720 Preliminary record in brief adjudicative proceedings. [Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-049, § 308-20-720, filed 5/1/97, effective 6/1/97.] Repealed by 06-10-007, filed 4/20/06, effective 5/21/06. Statutory Authority: RCW 18.16.030. Later promulgation, see chapter 308-08 WAC.
- 308-20-730 Conduct of brief adjudicative proceedings. [Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-049, § 308-20-730, filed 5/1/97, effective 6/1/97.] Repealed by 06-10-007, filed 4/20/06, effective 5/21/06. Statutory Authority: RCW 18.16.030. Later promulgation, see chapter 308-08 WAC.

WAC 308-20-010 Definitions. (1) "Chemical compounds formulated for professional use only" are those compounds containing hazardous chemicals in a form not generally sold to the public; including but not limited to, bulk concentrates of permanent wave solution, neutralizers, chemical relaxers, oxidizing agents, flammable substances, facial creams, or approved chemical compounds. These compounds must be designated for use on the hair, face, neck, skin, or scalp.

(2) "Monthly student report" are forms provided by the school, approved by the department, preprinted with the school name. The report must include the daily activities of the student in each subject, (i.e., number of shampoos, haircuts, perms, colors, etc.) within each course (i.e., barbering, manicuring, cosmetology, esthetics, or instructor-trainee).

(3) "Completed and graduated" is the completion of the school curriculum and the state approved minimum hourly course of training.

(4) "Apprentice salon/shop" is a location certified by the advisory committee that provides training for individuals accepted into the apprenticeship program. Apprentice

salon/shops shall not receive payment from the apprentice for training.

(5) "Apprentice trainer" is a person that is currently licensed and in good standing. This person provides training in a licensed shop approved for the apprenticeship program, who must have received Journey Level training and have held a license in the curriculum for which he or she is providing training for a minimum of three years.

(6) "Completion of the apprenticeship program" is the completion of the apprentice salon/shop curriculum that includes the state approved hourly course of training as described in WAC 308-20-080.

(7) "Monthly apprentice report" forms provided by the apprentice shop, approved by the department, printed with the shop name, for use in recording apprentice training hours and activities.

[Statutory Authority: RCW 18.16.030, 18.16.280, 43.24.023. 05-17-020, § 308-20-010, filed 8/4/05, effective 9/4/05; 04-05-005, § 308-20-010, filed 2/6/04, effective 3/8/04. Statutory Authority: RCW 18.16.030 and 43.24.023. 03-14-046, § 308-20-010, filed 6/24/03, effective 7/25/03. Statutory Authority: RCW 18.16.030(2). 02-04-012, § 308-20-010, filed 1/24/02, effective 6/30/02. Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-010, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 91-11-042, § 308-20-010, filed 5/10/91, effective 6/10/91; 88-19-047 (Order PM 772), § 308-20-010, filed 9/14/88. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-010, filed 9/12/84. Formerly chapters 308-16 and 308-24 WAC.]

WAC 308-20-040 Student records. (1) Schools shall collect and record monthly and final student reports. These reports as described in WAC 308-20-010 shall contain the cumulative number of hours the student has attended class and the number of times the student performs an activity as described in WAC 308-20-080. The hours attended shall not be recorded in less than one-quarter hour increments.

(2) Monthly and final student reports shall be signed by either the school owner, school manager or a person the school has authorized to sign the student reports.

(3) The school shall certify to the department that the student has satisfied the minimum instruction guidelines described in WAC 308-20-080 on the student's license examination application. Certification shall be by a person authorized to sign student reports according to subsection (2) of this section.

(4) Schools shall maintain student records for at least three years. The student records shall include documentation of student training.

(5) The school shall notify the department of the persons authorized to sign student records.

(6) Weekly reports provided by salon/shops verifying hours student earns in salon training must be included in student's records and recorded on student's monthly and final reports.

[Statutory Authority: RCW 18.16.030, 18.16.280, 43.24.023. 04-05-005, § 308-20-040, filed 2/6/04, effective 3/8/04. Statutory Authority: RCW 18.16.030 and 43.24.023. 03-14-046, § 308-20-040, filed 6/24/03, effective 7/25/03. Statutory Authority: RCW 18.16.030(2). 02-04-012, § 308-20-040, filed 1/24/02, effective 6/30/02. Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-040, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 91-11-042, § 308-20-040, filed 5/10/91, effective 6/10/91; 88-19-047 (Order PM 772), § 308-20-040, filed 9/14/88. Statutory Authority: RCW 18.16.030(2) and 18.16.140 as amended by 1987 c 445 § 1. 87-21-010 (Order PM 681), § 308-20-040, filed

10/9/87. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-040, filed 9/12/84.]

WAC 308-20-055 Apprentice records. (1) Apprentice salon/shops shall collect and record monthly and final apprentice training records. Copies of each apprentice's records shall be forwarded to the apprenticeship program. The records shall contain the cumulative number of hours the apprentice has earned in each area of the minimum instruction guidelines and the number of times an apprentice performs an activity.

(2) Monthly and final apprentice records shall be signed by the trainer and shop owner. The apprentice salon/shop shall notify the department of persons authorized to sign the apprentice's records on forms provided by the department.

(3) The apprenticeship program shall certify to the department on forms provided by the department that the apprentice has satisfied the minimum number of training hours required in the standards of the apprenticeship program which must include the minimum instruction requirements for cosmetology, barbering, manicuring and esthetics training as described in WAC 308-20-080.

(4) The apprentice records shall be maintained by the shop during the training and by the apprenticeship program for three years once training is completed. The apprentice records shall include documentation of apprentice training.

[Statutory Authority: RCW 18.16.030, 18.16.280, 43.24.023. 04-05-005, § 308-20-055, filed 2/6/04, effective 3/8/04.]

WAC 308-20-080 Minimum instruction guidelines for cosmetology, barbering, manicuring and esthetics training. The minimum instruction guidelines for training required for a student to be eligible to take the license examination for the following professions shall include:

- (1) For cosmetology:
 - (a) Theory of the practice of cosmetology, barbering, manicuring and esthetics services;
 - (b) At least 100 hours of skills in the application of manicuring and pedicuring services;
 - (c) At least 100 hours of skills in the application of esthetics services;
 - (d) Shampooing including draping, brushing, scalp manipulations, conditioning and rinsing;
 - (e) Scalp and hair analysis;
 - (f) Hair cutting and trimming including scissors, razor, thinning shears and clippers;
 - (g) Hair styling including wet, dry and thermal styling, braiding and styling aids;
 - (h) Cutting and trimming of facial hair including beard and mustache design and eyebrow, ear and nose hair trimming;
 - (i) Artificial hair that may include extensions and fitting;
 - (j) Permanent waving including sectioning, wrapping, preperm test curl, solution application, processing test curl and neutralizing;
 - (k) Chemical relaxing including sectioning, strand test, and relaxer application;
 - (l) Hair coloring and bleaching including predisposition test and strand test, and measurement, mixing, application and removal of chemicals;

(m) Disinfecting of individual work stations, individual equipment and tools and proper use and storage of linens;

(n) Diseases and disorders of the scalp, hair, skin and nails;

(o) Safety including proper use and storage of chemicals, implements and electrical appliances;

(p) First aid as it relates to cosmetology, barbering, manicuring and esthetics; and

(q) No more than twenty-five percent of skills training using mannequins.

(2) For barbering:

(a) Theory of the practice of barbering services;

(b) Shampooing including draping, brushing, scalp manipulations, conditioning and rinsing;

(c) Scalp and hair analysis;

(d) Hair cutting and trimming including scissors, razor, thinning shears and clippers;

(e) Hair styling, wet, dry and thermal styling and styling aids;

(f) Cutting and trimming of facial hair including shaving, beard and mustache design and eyebrow, ear and nose hair trimming;

(g) Artificial hair;

(h) Disinfecting of individual work stations, individual equipment and tools and proper use and storage of linens;

(i) Diseases and disorders of the skin, scalp and hair;

(j) Safety including proper use of implements and electrical appliances;

(k) First aid as it relates to barbering; and

(l) No more than twenty-five percent of skills training using mannequins.

(3) For manicuring:

(a) Theory in the practice of manicuring and pedicuring services;

(b) Artificial nails including silk, linen, fiberglass, acrylic, gel, powder, extensions and sculpting, preparation, application, finish and removal;

(c) Cleaning, shaping and polishing of nails of the hands and treatment of cuticles;

(d) Cleaning, shaping and polishing of nails of the feet;

(e) Disinfecting of individual work station, individual equipment and tools and proper use and storage of linens;

(f) Diseases and disorders of the nails of the hands and feet;

(g) Safety including proper use and storage of chemicals, implements and electrical appliances;

(h) First aid as it relates to manicuring and pedicuring; and

(i) No more than twenty-five percent of skills training using mannequins.

(4) For esthetics:

(a) Theory in the practice of esthetics services;

(b) Skin care of the face, neck and hands including hot compresses, massage, electrical or mechanical appliances or chemical compounds;

(c) Facials;

(d) Temporary removal of superfluous hair of the face, neck and hands by tweezing, waxing, tape, chemicals, lotions, creams, mechanical or electrical apparatus and appliances;

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(e) Disinfecting of individual work stations, individual equipment and tools and proper use and storage of linens;

(f) Diseases and disorders of the skin of the face, neck and hands;

(g) Safety including proper use and storage of chemicals, implements and electrical appliances;

(h) First aid as it relates to esthetics; and

(i) No more than twenty-five percent of skills training using mannequins.

[Statutory Authority: RCW 18.16.030(2), 02-04-012, § 308-20-080, filed 1/24/02, effective 6/30/02. Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220, 92-04-006, § 308-20-080, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030, 91-11-042, § 308-20-080, filed 5/10/91, effective 6/10/91; 88-19-047 (Order PM 772), § 308-20-080, filed 9/14/88. Statutory Authority: 1984 c 208, 84-19-020 (Order PL 480), § 308-20-080, filed 9/12/84.]

WAC 308-20-090 Student credit for training in a licensed school. (1) A maximum of twenty students per instructor is required within a licensed school.

(2) Only those hours of instruction a student is given under the direction of a licensed instructor of the licensed school in which the student is enrolled and in the courses listed in WAC 308-20-080 and 308-20-105 or hours earned under WAC 308-20-091 shall be credited toward completion of the course of study required in RCW 18.16.100.

(3) When all of a school's requirements have been met by a student and within thirty days of a student leaving a school, the school shall provide to the student a copy of the student's final report.

(4) Students may transfer between the schools and apprenticeship salon/shops and may receive credit toward completion of the curriculum in the new school or apprenticeship salon/shop. In order to receive a transfer student or apprentice, the new school or apprentice salon/shop shall do the following:

(a) Evaluate the certified final student report provided by the student or apprentice and compare the report with the new or apprentice salon/shop requirements;

(b) The school or apprentice salon/shop may accept or reject the final student or apprentice report in part or in total from the previous school or salon/shop and prepare a monthly report that documents the amount of instructions being accepted.

(5) Both the transferring and receiving school or salon/shop shall maintain student records including the transfer record as required in WAC 308-20-040(4).

(6) Licensed instructors must be physically present where the students are training.

[Statutory Authority: RCW 18.16.030, 18.16.280, 43.24.023, 04-05-005, § 308-20-090, filed 2/6/04, effective 3/8/04. Statutory Authority: RCW 18.16.030 and 43.24.023, 03-14-046, § 308-20-090, filed 6/24/03, effective 7/25/03. Statutory Authority: RCW 18.16.030(2), 02-04-012, § 308-20-090, filed 1/24/02, effective 6/30/02. Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220, 92-04-006, § 308-20-090, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030, 91-11-042, § 308-20-090, filed 5/10/91, effective 6/10/91; 88-19-047 (Order PM 772), § 308-20-090, filed 9/14/88. Statutory Authority: 1984 c 208, 84-19-020 (Order PL 480), § 308-20-090, filed 9/12/84.]

WAC 308-20-091 Student credit for training in a licensed salon/shop. (1) A maximum ten percent of the total curriculum hours required may be earned in a salon/shop

under a contract approved by the department signed by the student, the school owner, and the salon/shop manager.

(2) Only those hours of instruction a student is given under the direction of a licensed operator in the contracted salon/shop and in the subjects agreed to in the contract shall be credited towards completion of the course of study required in RCW 18.16.100.

(3) Students will not receive any wages or commission for hours of credit earned in a salon/shop.

(4) Salon/shops shall provide weekly reports to the schools with hours the student earned in each area of agreed training.

(5) Licensed operators must be physically present where students are training.

[Statutory Authority: RCW 18.16.030 and 43.24.023. 03-14-046, § 308-20-091, filed 6/24/03, effective 7/25/03.]

WAC 308-20-101 Apprentice credit for training in an approved apprentice salon/shop. (1) A minimum of one trainer per apprentice is required.

(2) Only those hours of theory instruction given under the direction of an instructor licensed under chapter 18.16 RCW shall be credited towards completion of the apprentice curriculum requirements for theory hours. Cosmetologist, barber, manicurist and esthetician theory hours must be taught in a classroom setting under the direct supervision of an instructor licensed in the curriculum for which he or she is providing theory instruction.

(3) With the exception of theory hours, only those hours of instruction an apprentice is given under the direction of an apprentice trainer as defined in WAC 308-20-010 and in the standards developed by the apprenticeship program shall be credited toward completion of the apprenticeship training.

(4) When all of the apprenticeship program requirements have been met by the apprentice and within thirty days of an apprentice's completed training, the committee shall provide to the apprentice a copy of the apprentice's final report.

(5) An apprentice may transfer between shops only when the committee approves the transfer.

(6) Apprentice trainers and instructors must be physically present where apprentices are training.

[Statutory Authority: RCW 18.16.030, 18.16.280, 43.24.023. 05-17-020, § 308-20-101, filed 8/4/05, effective 9/4/05; 04-05-005, § 308-20-101, filed 2/6/04, effective 3/8/04.]

WAC 308-20-105 Minimum instruction requirements for instructor-trainees. The minimum instruction requirements for a student to be eligible to take the examination to be licensed as an instructor shall include, but not be limited to:

(1) Preparation for classroom activities including, but not limited to:

- (a) Choice of teaching methods;
- (b) Classroom setup;
- (c) Topic/subject matter;
- (d) Student assignments;
- (e) Materials and supplies; and
- (f) Recordkeeping.

(2) Presentation of information including, but not limited to:

- (a) Lectures (oral and written);

(b) Demonstrations;

(c) Questions and answers;

(d) Project methods; and

(e) Discussions.

(3) Application of practice including, but not limited to:

(a) Clinic supervision;

(b) Classroom management; and

(c) Client relations.

(4) Evaluation by the instructor-trainee of the student's understanding and performance including, but not limited to:

(a) Written/practical assessment; and

(b) Communication skills.

[Statutory Authority: RCW 18.16.030 and 43.24.023. 03-14-046, § 308-20-105, filed 6/24/03, effective 7/25/03. Statutory Authority: RCW 18.16.030 (2). 02-04-012, § 308-20-105, filed 1/24/02, effective 6/30/02. Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-105, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 91-11-042, § 308-20-105, filed 5/10/91, effective 6/10/91; 88-19-047 (Order PM 772), § 308-20-105, filed 9/14/88. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-105, filed 9/12/84.]

WAC 308-20-107 Use and training of instructor-trainees. (1) Instructor-trainees shall be supervised by a licensed instructor. The licensed instructor shall be physically present where the instructor-trainee is working and be available for consultation with the instructor-trainee.

(2) Instructor-trainees shall hold a current Washington state cosmetology, barber, manicurist or esthetician license prior to becoming an instructor-trainee.

[Statutory Authority: RCW 18.16.030 and 43.24.023. 03-14-046, § 308-20-107, filed 6/24/03, effective 7/25/03. Statutory Authority: RCW 18.16.030 (2). 02-04-012, § 308-20-107, filed 1/24/02, effective 6/30/02. Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-107, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030 and 43.24.086. 90-07-030, § 308-20-107, filed 3/14/90, effective 4/14/90. Statutory Authority: RCW 18.16.030. 88-19-047 (Order PM 772), § 308-20-107, filed 9/14/88.]

WAC 308-20-110 Minimum safety and sanitation standards for schools, cosmetologists, manicurists, estheticians, barbers, instructors, salons/shops, mobile units and personal services. In addition to the requirements of RCW 18.16.175, every licensee shall maintain the following safety and sanitation standards:

(1) **Safety shall be maintained as follows:**

(a) A separate area with hot and cold running water shall be designated for use in dispensing and mixing chemicals and disinfecting supplies, tools, equipment, and other materials;

(b) All containers must be clearly labeled;

(c) All chemicals must be stored and labeled according to manufacturer's instructions;

(d) Disinfected supplies, tools, equipment and other material shall be stored separately from those that have been used;

(e) First-aid supplies shall be available;

(f) Licensees shall not work on clients with parasites, open wounds, or signs of infection; and

(g) School instructors and apprentice trainers shall not allow persons training in a school or apprentice salon/shop to work on clients with parasites, open wounds, or signs of infection.

(2) Sanitation shall be maintained as follows:

- (a) Floors, walls, fixtures, work stations and ceilings shall be clean and free from dust, dirt and hair;
- (b) Hair shall be removed from the floor after each service; and
- (c) Waste receptacles shall be emptied and disinfected daily.
- (d) Disposable products shall be placed in a waste receptacle;
- (e) Creams and lotions shall be dispensed using a disposable, or sanitized applicator, and fluids shall be dispensed with a squeeze bottle or pump;
- (f) Use clean towel, new neck strip and other sanitized supplies for each client;
- (g) Clean reusable supplies and implements with a disinfectant after each use; and
- (h) Wash hands with single-use soap and disposable hand-drying towels after toilet use and before providing service to each client.

[Statutory Authority: RCW 18.16.030, 18.16.280, 43.24.023. 04-05-005, § 308-20-110, filed 2/6/04, effective 3/8/04. Statutory Authority: RCW 18.16.030 and 43.24.023. 03-14-046, § 308-20-110, filed 6/24/03, effective 7/25/03. Statutory Authority: RCW 18.16.030(2). 02-04-012, § 308-20-110, filed 1/24/02, effective 6/30/02. Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-110, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 91-11-042, § 308-20-110, filed 5/10/91, effective 6/10/91; 88-19-047 (Order PM 772), § 308-20-110, filed 9/14/88. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-110, filed 9/12/84.]

WAC 308-20-115 Reciprocity—Persons licensed in other jurisdictions. The department shall issue a license to any person who is properly licensed in any state, territory, or possession of the United States, or foreign country if the applicant submits:

- (1) Application;
- (2) Fee;
- (3) Proof that he or she is currently licensed in good standing as a cosmetologist, barber, manicurist, esthetician, instructor, or the equivalent in that jurisdiction;
- (4) Provides proof that he or she has passed the director approved examinations with the minimum passing score approved by the director.

[Statutory Authority: RCW 18.16.030 and 43.24.086. 06-02-048, § 308-20-115, filed 12/29/05, effective 2/1/06.]

WAC 308-20-120 Written and performance examinations. (1) The department shall administer or approve the administration of a written and performance license examination. The department may approve written or performance examinations given by department-approved examination providers.

(2) The director adopts the National-Interstate Council of State Boards of Cosmetology (NIC) examinations as the approved written and performance examinations required for applicants.

(3) The written and performance examinations for cosmetologist, barber, manicurist and esthetician shall reasonably measure the applicant's knowledge of safe and sanitary practice.

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(4) The written and performance examinations for instructors shall be constructed to measure the applicant's knowledge of lesson planning and teaching techniques.

(5) In order to be eligible for licensure, a license applicant must pass both the written and performance examinations in the practice for which they are applying.

(6) The minimum passing score for both the written and performance examinations in all practices is a scaled score of 75.

[Statutory Authority: RCW 18.16.030 and 43.24.086. 06-02-048, § 308-20-120, filed 12/29/05, effective 2/1/06. Statutory Authority: RCW 18.16.030 and 43.24.023. 03-14-046, § 308-20-120, filed 6/24/03, effective 7/25/03; 03-08-043, § 308-20-120, filed 3/27/03, effective 4/27/03. Statutory Authority: RCW 18.16.030(2). 02-04-012, § 308-20-120, filed 1/24/02, effective 6/30/02. Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-120, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030. 88-19-047 (Order PM 772), § 308-20-120, filed 9/14/88. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-120, filed 9/12/84.]

WAC 308-20-122 Examination retakes. Examination applicants may take an examination no more than once a day.

[Statutory Authority: RCW 18.16.030(2). 02-04-012, § 308-20-122, filed 1/24/02, effective 6/30/02.]

WAC 308-20-123 Examination appeal. (1) An applicant who has received a failing score on the written or practical examination shall be eligible to appeal to the department for a review of the examination results. The department shall only consider appeals regarding significant procedural errors or adverse environmental conditions during the test administration.

(2) The appeal shall be filed with the department within fifteen days after the date of notification of examination results. The appeal shall be made in writing, and shall state the reason for appeal.

(3) The review of the appeal shall be conducted by one or more department staff, or the department's designee, to determine if there is clear and convincing evidence to sustain the applicant's appeal. The director or director's designee shall make the final determination on the appeal.

(4) Within thirty days after the department has made a determination on the appeal, the applicant shall be notified in writing of the results.

(5) In acting on appeals, the department may take such action as it deems appropriate.

[Statutory Authority: RCW 18.16.030, 43.24.023. 05-04-012, § 308-20-123, filed 1/24/05, effective 2/24/05.]

WAC 308-20-190 Restricted license. Should the director restrict the licensee's scope of practice, the licensee shall surrender the unrestricted license to the department of licensing so the stated restriction can be affixed to the license and the license returned to the licensee. All restricted licenses must be posted at the work station of the individual in clear view of the public. Services beyond those authorized by the restricted license may not be performed by the licensee until the restriction is removed from the license.

[Statutory Authority: RCW 18.16.030. 88-19-047 (Order PM 772), § 308-20-190, filed 9/14/88. Statutory Authority: 1984 c 208. 84-19-020 (Order PL 480), § 308-20-190, filed 9/12/84.]

WAC 308-20-210 Fees. In addition to any third-party examinations fees, the following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Cosmetologist:	
Reciprocity license	\$40.00
Renewal (two-year license)	40.00
Late renewal penalty	20.00
Duplicate license	15.00
Certification	25.00
Instructor:	
Reciprocity license	40.00
Renewal (two-year license)	40.00
Late renewal penalty	20.00
Duplicate license	15.00
Certification	25.00
Manicurist:	
Reciprocity license	40.00
Renewal (two-year license)	40.00
Late renewal penalty	20.00
Duplicate	15.00
Certification	25.00
Esthetician:	
Reciprocity license	40.00
Renewal (two-year license)	40.00
Late renewal penalty	20.00
Duplicate	15.00
Certification	25.00
Barber:	
Reciprocity license	40.00
Renewal (two-year license)	40.00
Late renewal penalty	20.00
Duplicate license	15.00
Certification	25.00
School:	
License application	175.00
Renewal (one-year license)	175.00
Late renewal penalty	175.00
Duplicate	15.00
Curriculum review	15.00
Salon/shop:	
License application	50.00
Renewal (one-year license)	50.00
Late renewal penalty	50.00
Duplicate license	15.00
Mobile unit:	
License application	50.00
Renewal (one-year license)	50.00
Late renewal penalty	50.00
Duplicate license	15.00
Personal services:	
License application	50.00
Renewal (one-year license)	50.00
Late renewal penalty	50.00
Duplicate license	15.00

[Statutory Authority: RCW 18.16.030 and 43.24.086. 06-02-048, § 308-20-210, filed 12/29/05, effective 2/1/06. Statutory Authority: RCW 18.16.030 and 43.24.023. 03-14-046, § 308-20-210, filed 6/24/03, effective 7/25/03. Statutory Authority: RCW 18.16.030 and 43.24.086. 03-06-054, § 308-20-210, filed 2/28/03, effective 4/1/03. Statutory Authority: RCW 18.16.030,

43.24.086, and 43.135.055. 02-09-040, § 308-20-210, filed 4/12/02, effective 1/1/03. Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-210, filed 7/17/92, effective 8/17/92. Statutory Authority: Chapter 18.16 RCW and RCW 34.05.220. 92-04-006, § 308-20-210, filed 1/23/92, effective 2/23/92. Statutory Authority: RCW 18.16.030 and 43.24.086. 90-07-030, § 308-20-210, filed 3/14/90, effective 4/14/90. Statutory Authority: RCW 43.24.086. 87-10-028 (Order PM 650), § 308-20-210, filed 5/1/87.]

WAC 308-20-520 Minimum salon/shop, mobile unit, and personal services licensing standards. No person shall operate a cosmetology, barbering, esthetics, or manicuring salon/shop, mobile unit, or personal services business in this state unless the business has qualified for and has in their possession a location license issued by the department of licensing. If the ownership of the business changes, a new complete application must be submitted for approval and license issuance. Licenses are not transferable.

(1) An operator that leases space must obtain both a valid operator and salon/shop license for that specific location.

(2) A business that has one or more branch locations shall obtain a separate salon/shop license for each location.

(3) A licensed operator who provides cosmetology, barbering, esthetics, or manicuring services to place-bound clients in the client's home or in a long or short term health care facility is not required to obtain a location license.

(4) A long or short term health care facility that establishes a salon/shop and operates it on a for profit basis for clients other than place-bound clients shall obtain a location license.

[Statutory Authority: RCW 18.16.030 and 43.24.023. 03-14-046, § 308-20-520, filed 6/24/03, effective 7/25/03. Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-520, filed 7/17/92, effective 8/17/92.]

WAC 308-20-550 Posting of required licenses, registrations, permits, and notice to consumers. (1) Licenses, the consumer notice required by chapter 18.16 RCW, and the apprentice salon/shop notice as defined in WAC 308-20-555 shall be posted in direct public view.

(2) Original operator licenses with an attached current photograph shall be posted in clear view of clients in the operator's work station.

(3) School, instructor, salon/shop, and mobile unit licenses shall be displayed in the reception area.

(4) Personal services shall display their licenses and consumer notice in direct view of their client.

(5) A pocket identification card may not be used in lieu of an original license.

(6) No license which has expired or become invalid for any reason shall be displayed by any operator, instructor, or business in connection with the practice of cosmetology, barbering, esthetics, or manicuring. Any license so displayed shall be surrendered to a department representative upon its request.

(7) Licenses issued by another state, territory, or foreign country shall not be displayed in any salon/shop.

(8) A receipt, issued by the department of licensing, showing the application for a duplicate license may be used if the original has been lost, stolen, or otherwise destroyed until the duplicate license is received.

[Statutory Authority: RCW 18.16.030, 18.16.280, 43.24.023. 04-05-005, § 308-20-550, filed 2/6/04, effective 3/8/04. Statutory Authority: RCW 18.16.030 and 43.24.023. 03-14-046, § 308-20-550, filed 6/24/03, effective

7/25/03. Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-550, filed 7/17/92, effective 8/17/92.]

WAC 308-20-555 Identification of apprentices and apprentice salon/shops. (1) Salon shops must post notice to customers of participation in the apprenticeship program. At a minimum the notice shall state "This shop is a participant in a state approved apprenticeship program. Apprentices in this program are in training and have not yet received a license."

(2) Apprentices must wear identification visible to the public that states they are participants in the apprenticeship program.

[Statutory Authority: RCW 18.16.030, 18.16.280, 43.24.023. 04-05-005, § 308-20-555, filed 2/6/04, effective 3/8/04.]

WAC 308-20-560 Salon/shop, mobile unit, and personal services location license renewal process. Each salon/shop, mobile unit, and personal services license shall be renewed on a yearly basis. The renewal request shall be accompanied by:

(1) The license renewal fee required under the provisions of WAC 320-20-210.

(2) Affidavit of certification of public liability insurance including, name of provider, policy number, effective date, expiration date, amount of coverage, and signature of licensee.

(3) A statement noting any changes to the information contained in the original application form and attachments.

(4) Licenses must be renewed on or before the expiration date. Failure to renew the license by the expiration date shall result in a penalty fee.

(5) Failure to receive a notice of license renewal from the department does not constitute cause for failure to renew.

[Statutory Authority: RCW 18.16.030 and 43.24.023. 03-14-046, § 308-20-560, filed 6/24/03, effective 7/25/03. Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-560, filed 7/17/92, effective 8/17/92.]

WAC 308-20-570 Operator and instructor renewal process. Each operator or instructor license shall be renewed every two years. The renewal request shall be accompanied by:

(1) Social Security number.

(2) The license renewal fee required under the provisions of WAC 308-20-210.

(3) A statement noting any changes to the information contained in the original application form and attachments.

(4) Licenses must be renewed on or before the expiration date. Failure to renew the license by the expiration date shall result in a penalty fee.

(5) Failure to receive a notice of license renewal from the department does not constitute cause for failure to renew.

[Statutory Authority: RCW 18.16.030 and 43.24.023. 03-14-046, § 308-20-570, filed 6/24/03, effective 7/25/03. Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-570, filed 7/17/92, effective 8/17/92.]

WAC 308-20-575 School license renewal process. Each school shall be renewed on a yearly basis. The renewal request shall be accompanied by:

(1) Certification of annual gross tuition and surety bond in an amount equal to ten percent of the annual gross tuition,

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but not less than ten thousand dollars or more than fifty thousand dollars.

(2) Changes in curriculum, catalogs, brochures.

(3) Current list of instructors on forms provided by the department.

(4) Verification of current student/instructor ratio.

(5) Licenses must be renewed on or before the expiration date. Failure to renew the license by the expiration date shall result in a penalty.

(6) Failure to receive a notice of license renewal from the department does not constitute cause for failure to renew.

[Statutory Authority: RCW 18.16.030 and 43.24.023. 03-14-046, § 308-20-575, filed 6/24/03, effective 7/25/03.]

WAC 308-20-600 Disinfecting and sterilizing of tools and other implements. Adequate disinfectants and sterilization equipment shall be available for use as needed at all times when the business is open to clients or operators.

(1) When sterilization equipment is used it shall be checked annually to assure that it is reaching the temperature required by the manufacturer's instructions.

(2) When commercially manufactured disinfectant solution is used it shall be mixed and used according to the manufacturer's instructions.

(3) When used according to the manufacturer's instructions the following methods may be used to disinfect or sterilize tools and equipment.

(a) Immersion of the object in the disinfectant solution.

(b) Dry heat or autoclave sterilizer registered with the Federal Food and Drug Administration.

(4) All single-use items which cannot be sterilized or disinfected shall be discarded after use.

[Statutory Authority: RCW 18.16.030 and 43.24.023. 03-14-046, § 308-20-600, filed 6/24/03, effective 7/25/03. Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-600, filed 7/17/92, effective 8/17/92.]

WAC 308-20-610 Chemical use and storage. (1) When administering services to a client that involve the use of chemicals or chemical compounds, all practitioners shall follow safety procedures which prevent injury to the client's person or clothing.

(2) Any shop owner or practitioner using chemicals or chemical compounds in providing services to clients shall store the chemicals so as to prevent fire, explosion, or bodily harm.

(a) Flammable chemicals shall be stored away from potential sources of ignition.

(b) Chemicals which could interact in a hazardous manner such as oxidizers, catalysts, and solvents, shall be segregated in storage.

(c) All chemicals shall be stored in accordance with the manufacturer's directions.

[Statutory Authority: Chapter 18.16 RCW. 92-15-087, § 308-20-610, filed 7/17/92, effective 8/17/92.]

Chapter 308-29 WAC COLLECTION AGENCIES AND REPOSSESSION SERVICES

WAC

308-29-010

Definitions.

308-29-020	Financial statement.
308-29-025	What records must a licensee maintain at the licensed location?
308-29-030	Do licensees have to notify the director of changes in ownership, officers, directors, or managing employees?
308-29-045	Collection agency fees.
308-29-050	Are licensees required to notify the director of lawsuits, judgments, etc., involving the licensee or its employees?
308-29-060	What are the licensees' obligations when transferring an interest in a collection agency?
308-29-070	Disclosure of rate of interest.
308-29-080	Does a collection agency have to notify the credit reporting agency when the debt is satisfied?
308-29-090	Application of brief adjudicative proceedings.
308-29-100	Preliminary record in brief adjudicative proceedings.
308-29-110	Conduct of brief adjudicative proceedings.
308-29-120	Appeal process for brief adjudicative proceedings.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-29-040	Collection agency—Fees. [Statutory Authority: RCW 43.24.085, 80-14-022 (Order 356), § 308-29-040, filed 9/25/80; Order PL 221, § 308-29-040, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-29-045.
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WAC 308-29-010 Definitions. (1) Words and terms used in these rules have the same meaning as each has under chapter 19.16 RCW unless otherwise clearly provided in these rules, or the context in which they are used in these rules clearly indicates that they be given some other meaning.

(2) "Branch office" is any location physically separated from the principal place of business of a licensee where the licensee conducts any activity meeting the criteria of a collection agency or out-of-state collection agency as defined in RCW 19.16.100.

(3) "Repossession services" conducted by any person shall not be deemed a collection agency as defined in RCW 19.16.100, unless such person is repossessing or is attempting to repossess property for a third party and is authorized to accept cash or any other thing of value from the debtor in lieu of actual repossession.

(4) "Managing employee" is an individual who has the general power to exercise judgment and discretion in acting on behalf of the licensee on an overall or partial basis and who does not act in an inferior capacity under close supervision or direction of a superior authority (as distinguished from a nonmanaging employee who is told what to do and has no discretion about what he or she can and cannot do and who is responsible to an immediate superior).

[Statutory Authority: [RCW 19.16.410]. 01-11-132, § 308-29-010, filed 5/22/01, effective 6/22/01; Order PL-123, § 308-29-010, filed 5/17/72.]

WAC 308-29-020 Financial statement. Each applicant must submit a current (within prior three months) financial statement of assets and liabilities. Such statement shall be submitted in the manner and form prescribed by the director. Whenever a licensee applies for annual license renewal, such licensee must sign the renewal form that contains a certification:

- (1) That the collection agency's true net worth complies with the requirements of RCW 19.16.245; and
- (2) That the trust account(s) have sufficient funds to pay all obligations to clients.

[Statutory Authority: [RCW 19.16.410]. 01-11-132, § 308-29-020, filed 5/22/01, effective 6/22/01; Order PL-123, § 308-29-020, filed 5/17/72.]

WAC 308-29-025 What records must a licensee maintain at the licensed location? Required records:

The collection agency must maintain the following records at the licensed location:

(1) Bank trust records.

(a) Duplicate receipt book or cash receipts journal recording all receipts showing date received and the customer who paid;

(b) Sequentially numbered checks with check register or cash disbursement journal or check stubs showing the purpose of the disbursement and the client account it is debited to;

(c) Bank deposit slips verifying the date deposited and reconciled with receipt book or cash receipts journal;

(d) Client's accounting ledger or client remittance report summarizing all moneys received and all moneys disbursed for each client collection account; and

(e) Reconciled bank statements and canceled checks for all trust bank accounts.

(2) Other records.

(a) Copies of all financial statements of licensee showing solvency;

(b) Annotations of significant events or conversations with debtors;

(c) Transactions folders containing all agreements, contracts, documents, statements and correspondence for each debtor and client (may be maintained electronically or on other retrievable medium); and

(d) Collection agreements authorizing the licensee to collect debts or a schedule listing all fees or charges to be charged to the debtor or client.

Accuracy, accessibility and retention of records:

All required records shall be accurately posted, kept up-to-date and kept at the address where the collection agent is licensed to do business. Such records shall be retained and available for inspection by the director or the director's authorized representative during normal business hours. The collection agent shall provide copies of required records upon demand by the director or the director's authorized representative.

(3) Licensee's responsibilities:

(a) The licensee shall be responsible for the custody, safety and the accuracy of entries in all required records. The licensee retains this responsibility even though another person or persons assume the duties of preparation, custody or recording.

(b) The licensee shall obtain copies of the Collection Agency Act (chapter 19.16 RCW) and the rules implementing the act (chapter 308-29 WAC) and be knowledgeable of these laws and rules in their most recent version.

(c) The licensee must ensure accessibility of the licensed location and records to the director or the director's representative.

(4) Administration of trust funds and client property:

(a) A licensee who receives funds or moneys from any debtor, client or customer shall hold the funds or moneys in trust for the purposes of the agreement and shall not utilize

such funds or moneys for the benefit of the licensee or any person not entitled to such benefit.

(b) All funds or moneys received shall be deposited into a federally insured banking institution.

(c) The trust bank account will be in the licensee's name and identified as a trust account.

(d) Preauthorization of regular disbursements or deductions on an ongoing basis by financial institutions is not permitted for multiclient accounts.

(e) When a contract between the licensee and client expires, terminates, or is no longer in existence, the licensee shall give a closing statement to the client summarizing all receipts and payments since the last statement and shall return all instruments and client property to the client within thirty days after written demand from the client, or as specified in the client contract.

[Statutory Authority: [RCW 19.16.410]. 01-11-132, § 308-29-025, filed 5/22/01, effective 6/22/01.]

WAC 308-29-030 Do licensees have to notify the director of changes in ownership, officers, directors, or managing employees? (1) Each licensee shall notify the director in writing:

(a) Within ten business days of any change in its ownership;

(b) Within ten business days of any change in officers, directors, or managing employees of each office location.

The notification shall consist of reporting the individual's name, position, address and effective date of change.

(2) If requested by the department, each licensee shall notify the department in writing of any additional information regarding the change or changes in subsection (1) of this section within ten days after the mailing of the request.

[Statutory Authority: [RCW 19.16.410]. 01-11-132, § 308-29-030, filed 5/22/01, effective 6/22/01; 87-11-064 (Order PM 653), § 308-29-030, filed 5/20/87; Order PL-141, § 308-29-030, filed 12/18/72.]

WAC 308-29-045 Collection agency fees. The following fees shall be charged by the business and professions division of the department of licensing:

Title of Fee	Fee
Collection agency—Main office:	
Original application	\$650.00
Renewal	410.00
Reregistration fee after 30 days	1,060.00
Branch office (with WA main office):	
Original application	350.00
Renewal	238.00
Reregistration fee after 30 days	588.00

[Statutory Authority: RCW 19.16.140, 43.24.086, 04-18-043, § 308-29-045, filed 8/26/04, effective 10/1/04. Statutory Authority: [RCW 19.16.410]. 01-11-132, § 308-29-045, filed 5/22/01, effective 6/22/01. Statutory Authority: RCW 43.24.086, 90-06-052, § 308-29-045, filed 3/2/90, effective 4/2/90; 87-10-028 (Order PM 650), § 308-29-045, filed 5/1/87. Statutory Authority: 1983 c 168 § 12, 83-22-060 (Order PL 446), § 308-29-045, filed 11/2/83; 83-17-031 (Order PL 442), § 308-29-045, filed 8/10/83. Formerly WAC 308-29-040.]

WAC 308-29-050 Are licensees required to notify the director of lawsuits, judgments, etc., involving the licensee or its employees? (1) Within thirty days after the entry

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of any judgment against the licensee or any owner, officer, director or managing employee of a nonindividual licensee, the licensee shall notify the director in writing of the judgment, if the judgment arises out of any of the practices prohibited in RCW 19.16.250 or of any of the grounds set forth in RCW 19.16.120.

(2) Within thirty days after the filing, service or knowledge of a tax lien or warrant filed against the licensee or any owner, officer, director or managing employee of a nonindividual licensee, the licensee shall notify the director in writing of the lien or warrant.

(3) Within thirty days after the filing, service or knowledge of any suit, complaint, counterclaim or cross claim served or filed in any court in which the licensee or any owner, officer, director or managing employee of a nonindividual licensee is named a defendant, the licensee shall notify the director in writing of such matter if it:

(a) Involves alleged violations of RCW 19.16.210; or

(b) Is or purports to be brought on behalf of the state of Washington or three or more persons.

(4) Within thirty days after the licensee or any owner, officer, director or managing employee of a nonindividual licensee files a petition for bankruptcy, the licensee shall notify the director in writing of the filing of the petition.

(5) The written notification shall be sent by certified or registered mail and shall identify:

- The names of all parties, plaintiff and defendant;
- The court in which the action is commenced; and
- The cause number assigned to the action.

[Statutory Authority: [RCW 19.16.410]. 01-11-132, § 308-29-050, filed 5/22/01, effective 6/22/01; 79-06-084 (Order PL-306), § 308-29-050, filed 6/1/79.]

WAC 308-29-060 What are the licensees' obligations when transferring an interest in a collection agency? (1)

In order to transfer the licensee's interest in a collection agency or out-of-state collection agency, unless the transfer is due to the death of an individual licensee, the licensee shall notify all of its clients with open accounts, or cause such clients to be notified, of the transfer of the licensee's interest.

(2) The instrument by which the interest is transferred shall be in writing, and shall indicate:

(a) That the license or branch office certificate granted under chapter 19.16 RCW is not assignable or transferable, that the transfer of the licensee's interest in the business does not include such license or certificate, that the transferee of the interest must apply for a license and/or certificate in accordance with the law, and that the transferee of the interest may not act, assume to act, or advertise as a collection agency or out-of-state collection agency as defined in chapter 19.16 RCW, without first having applied for and obtained a license under that chapter;

(b) Which party to the transaction bears responsibility for payment to clients of amounts due them between the date the instrument is executed and the effective date of the transfer;

(c) Which party to the transaction bears responsibility for maintaining and preserving the records of the collection agency or out-of-state collection agency as prescribed by RCW 19.16.230 and these rules;

(d) Whether the transfer of interest includes the right to use of the business name or trade name of the collection agency or out-of-state collection agency; and

(e) Which party to the transaction bears responsibility for providing written notice of the transfer to the clients of the collection agency who have open accounts with the collection agency or out-of-state collection agency.

(3) The licensee must provide the director a copy of the instrument transferring the licensee's interest signed by all parties to the transaction and shall indicate the effective date of the transfer.

[Statutory Authority: [RCW 19.16.410]. 01-11-132, § 308-29-060, filed 5/22/01, effective 6/22/01; 87-11-064 (Order PM 653), § 308-29-060, filed 5/20/87; 86-14-051 (Order PM 602), § 308-29-060, filed 6/27/86; 79-06-084 (Order PL-306), § 308-29-060, filed 6/1/79.]

WAC 308-29-070 Disclosure of rate of interest.

Whenever a collection agency is required pursuant to RCW 19.16.250 (8)(c) to disclose to the debtor that interest charges are being added to the original obligation, the collection agency must also disclose to the debtor the rate of interest. The rate of interest cannot exceed the legal maximum rate established in chapter 19.52 RCW.

[Statutory Authority: [RCW 19.16.410]. 01-11-132, § 308-29-070, filed 5/22/01, effective 6/22/01; 87-11-064 (Order PM 653), § 308-29-070, filed 5/20/87; 86-14-051 (Order PM 602), § 308-29-070, filed 6/27/86.]

WAC 308-29-080 Does a collection agency have to notify the credit reporting agency when the debt is satisfied? If a collection agency informs a credit-reporting agency of the existence of a claim, the collection agency shall promptly notify the credit-reporting agency that the claim has been satisfied. In the absence of other applicable law, "promptly" shall mean within forty-five days after satisfaction of the claim.

[Statutory Authority: [RCW 19.16.410]. 01-11-132, § 308-29-080, filed 5/22/01, effective 6/22/01; 87-11-064 (Order PM 653), § 308-29-080, filed 5/20/87; 86-14-051 (Order PM 602), § 308-29-080, filed 6/27/86.]

WAC 308-29-090 Application of brief adjudicative proceedings. The board adopts RCW 34.05.482 through 34.05.494 for the administration of brief adjudicative proceedings conducted by request of an applicant or licensee, or at the discretion of the board chair pursuant to RCW 34.05.482, for the categories of matters set out below. Brief adjudicative proceedings may be conducted where the matter is limited solely to one or more of the following issues:

(1) Whether an applicant for licensure meets the minimum criteria for a license to practice as a collection agency, out-of-state collection agency, or collection agency branch office in this state and the board proposes to deny the application;

(2) Whether a person is in compliance with the terms and conditions of a final order or agreement previously issued by the board;

(3) Whether a license holder requesting renewal has submitted all required information and meets minimum criteria for renewal; and

(4) Whether a license holder meets the surety bond requirements to maintain their license and the board proposes to terminate the license.

[Title 308 WAC—p. 132]

[Statutory Authority: [RCW 19.16.410]. 01-11-132, § 308-29-090, filed 5/22/01, effective 6/22/01.]

WAC 308-29-100 Preliminary record in brief adjudicative proceedings. (1) The preliminary record with respect to an application for an original or renewal license shall consist of:

(a) The application for the license, renewal, or reinstatement and all associated documents;

(b) All documents relied upon by the department of licensing collection agency program in proposing to deny the license, renewal, or reinstatement; and

(c) All correspondence between the applicant for license, renewal, or reinstatement and the program regarding the application.

(2) The preliminary record with respect to determination of compliance with a previously issued final order or agreement shall consist of:

(a) The previously issued final order or agreement;

(b) All reports or other documents submitted by, or at the direction of, the license holder, in full or partial fulfillment of the terms of the final order or agreement;

(c) All correspondence between the license holder and the program regarding compliance with the final order or agreement; and

(d) All documents relied upon by the program showing that the license holder has failed to comply with the previously issued final order or agreement.

(3) The preliminary record with respect to determination of compliance with the surety bond requirements shall consist of:

(a) The surety bond cancellation notice from the insurance company;

(b) All documents relied upon by the program in proposing to terminate the license; and

(c) All correspondence between the license holder and the program regarding the surety bond cancellation.

[Statutory Authority: [RCW 19.16.410]. 01-11-132, § 308-29-100, filed 5/22/01, effective 6/22/01.]

WAC 308-29-110 Conduct of brief adjudicative proceedings. (1) Brief adjudicative proceedings shall be conducted by a presiding officer designated by the board. The presiding officer for brief adjudicative proceedings shall have agency expertise in the subject matter but shall not have personally participated in the decision to issue the initiating document.

(2) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceedings shall designate the date by which written documents must be submitted by the parties.

(3) The presiding officer for brief adjudicative proceedings may, in his or her discretion, entertain oral argument from the parties or their representatives.

(4) No witnesses may appear to testify.

(5) In addition to the record, the presiding officer for brief adjudicative proceedings may employ agency expertise as a basis for decision.

(6) The presiding officer for brief adjudicative proceedings shall not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the

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presiding officer for brief adjudicative proceedings shall enter an initial order.

[Statutory Authority: [RCW 19.16.410]. 01-11-132, § 308-29-110, filed 5/22/01, effective 6/22/01.]

WAC 308-29-120 Appeal process for brief adjudicative proceedings. If you do not receive satisfaction from the brief adjudicative proceeding, you may appeal to the board for an administrative review. The board must receive your written appeal within twenty-one days after the brief adjudicative proceeding order is posted in the United States mail. The board considers your appeal and either upholds or overrules the brief adjudicative proceeding decision. The board's decision, also called an order, is mailed to you.

[Statutory Authority: [RCW 19.16.410]. 01-11-132, § 308-29-120, filed 5/22/01, effective 6/22/01.]

Chapter 308-30 WAC NOTARIES PUBLIC

WAC

308-30-005	Mailing address.
308-30-010	Size and form of notary seal or stamp.
308-30-020	What fees may a notary public charge?
308-30-030	Applications for appointment as notary public.
308-30-040	Resignation or revocation of notary appointment.
308-30-050	Replacement of lost or stolen notary seals or stamps.
308-30-060	Department to be notified of change of name or address.
308-30-070	Requests for evidence of authenticity.
308-30-080	Appeals of denials and revocations of notary appointments.
308-30-090	Forms.
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308-30-120	Notary signature.
308-30-130	Expired stamp or seal.
308-30-140	Notification of legal actions.
308-30-150	Continuous qualification required.
308-30-155	Satisfactory evidence of identity.
308-30-160	Testimonials.
308-30-170	Application of brief adjudicative proceedings.
308-30-180	Preliminary record in brief adjudicative proceedings.
308-30-190	Conduct of brief adjudicative proceedings.

WAC 308-30-005 Mailing address. All correspondence is to be directed to the Department of Licensing, Professional Licensing Services, Notary Section, Post Office Box 9027 (in person 2424 Bristol Court) Olympia, Washington 98507-9027.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-005, filed 2/5/93, effective 3/8/93.]

WAC 308-30-010 Size and form of notary seal or stamp. A notary seal shall be one and five-eighths inches minimum in diameter. If a notary stamp is used the following requirements shall apply:

- (1) The type shall be a minimum of 8 point type.
- (2) The stamp shall be minimum one and five-eighths inches in diameter. If a rectangular stamp is used the minimum dimensions shall be one inch wide by one and five-eighths inches long.
- (3) The imprint shall be affixed with indelible ink only.
- (4) The face of any notary stamp shall contain permanently affixed letters and numerals and shall not be pre-printed.
- (5) The use of the Washington state seal on the notary stamp or seal is prohibited.

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(6) A vendor may not provide a notarial seal, or stamp, either inking or embossing, to a person claiming to be a notary, unless the person presents a photo copy of the person's Notary Certificate.

(7) A notary applying for a seal or stamp as a result of a name change shall present a copy to the vendor of the certificate evidencing the notary's name change from the director.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-010, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-010, filed 11/26/85, effective 1/1/86.]

WAC 308-30-020 What fees may a notary public charge? (1) The maximum fees a notary may charge for notarial acts are:

NOTARIAL ACT	FEE
Witnessing or attesting a signature	\$10.00
Taking acknowledgement or verification upon oath or affirmation	\$10.00
Certifying or attesting a copy	\$10.00
Receiving or noting a protest of a negotiable instrument	\$10.00
Being present at demand, tender, or deposit, and noting the same	\$10.00
Administering an oath or affirmation	\$10.00
Certifying that an event has occurred or an act has been performed	\$10.00

(2) A notary public need not charge for notarial acts. A notary who chooses to charge for notarial acts shall conspicuously display in their place of business, or present to each customer outside their business, an English-language schedule of fees for notarial acts. No part of the displayed notarial fee schedule may be printed in smaller than 10-point type.

(3) A notary may charge actual costs of copying any instrument or record.

(4) A notary may charge a travel fee when traveling to perform a notarial act if:

(a) The notary and the person requesting the notarial act agree upon the travel fee in advance of the travel; and

(b) The notary explains to the person requesting the notarial act that the travel fee is in addition to the notarial fee in subsection (1) of this section and is not required by law.

[Statutory Authority: RCW 42.44.190. 06-20-061, § 308-30-020, filed 9/29/06, effective 11/1/06; 93-05-009, § 308-30-020, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-020, filed 11/26/85, effective 1/1/86.]

WAC 308-30-030 Applications for appointment as notary public. Applications for appointment as notary public may be obtained from the department of licensing. Every application submitted for appointment as a notary public must be accompanied by the required surety bond and the prescribed fee and shall in all ways comply with the requirements of chapter 42.44 RCW.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-030, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-030, filed 11/26/85, effective 1/1/86.]

WAC 308-30-040 Resignation or revocation of notary appointment. Voluntary resignation by a notary public shall be submitted in writing to the department of licens-

ing. If a notary public voluntarily resigns his or her notary appointment or if the notary appointment is revoked, suspended or restricted, the notary public must mail or deliver his or her notary stamp or seal to the department of licensing. No voluntary resignation of a notary appointment shall be effective until the notary seal or stamp is mailed or delivered to the notary section.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-040, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-040, filed 11/26/85, effective 1/1/86.]

WAC 308-30-050 Replacement of lost or stolen notary seals or stamps. When a notary seal or stamp is lost or stolen the department of licensing is to be notified by certified mail. The notice must set forth the fact that the notary seal or stamp has been lost or stolen and be signed by the notary public. The notary public may then obtain a replacement notary seal or stamp. The new notary seal or stamp must contain some variance from the original seal or stamp. If the lost or stolen notary seal or stamp is found or recovered after a replacement has been obtained the original seal or stamp shall be surrendered to the department of licensing.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-050, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-050, filed 11/26/85, effective 1/1/86.]

WAC 308-30-060 Department to be notified of change of name or address. When a notary public changes his or her name or address, the department of licensing must be notified in writing of such name and/or address change. The notification of name change must be accompanied by a bond rider from the bonding company amending the notary bond, and the prescribed fee for a name change which provides a duplicate notary certificate showing the new name. There is no charge for an address change.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-060, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-060, filed 11/26/85, effective 1/1/86.]

WAC 308-30-070 Requests for evidence of authenticity. Requests for evidences of authenticity of notarial commission must be in writing, accompanied by the prescribed fee, the original document, and mailed to the department of licensing.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-070, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-070, filed 11/26/85, effective 1/1/86.]

WAC 308-30-080 Appeals of denials and revocations of notary appointments. Notices of appeals of denials and revocations of notary appointments must be in writing and mailed or delivered to the department of licensing. The written notification of appeal must be received by the department within twenty days of the date of denial or revocation or the right to appeal is waived. When the notification of appeal is mailed, the postmarked date will be accepted as the date of receipt by the department of licensing. Procedures on appeal will be as provided in the Administrative Procedure Act, chapter 34.05 RCW, and rules adopted thereunder.

[Title 308 WAC—p. 134]

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-080, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-080, filed 11/26/85, effective 1/1/86.]

WAC 308-30-090 Forms. (1) The forms in RCW 42.44.100 are only suggested certificates with the sufficient information included. These forms may be used; however, when a specific form is required by a specific statute, the required form shall be used.

(2) A nonattorney notary may complete notarial certificates, and may not assist another person in drafting, completing, selecting, or understanding a document or transaction requiring a notarial act. This does not preclude a notary who is duly qualified in a particular profession from giving advice relating to matters in that professional field.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-090, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-090, filed 11/26/85, effective 1/1/86.]

WAC 308-30-100 Fees. The following fees shall be charged by the director of the department of licensing:

Title of Fee	Fee
Application for notary appointment	\$30.00
Renewal of notary appointment	30.00
Duplicate certificate of appointment (including change of name)	15.00
Evidence of verification of notarial commission	15.00
Apostille	15.00

[Statutory Authority: RCW 42.44.190. 43.35.055, 43.24.086, WAC 308-30-100. 05-12-047, § 308-30-100, filed 5/26/05, effective 6/26/05. Statutory Authority: RCW 43.24.086. 90-06-052, § 308-30-100, filed 3/2/90, effective 4/2/90. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-100, filed 11/26/85, effective 1/1/86.]

WAC 308-30-120 Notary signature. Upon completion of a notarial act, the notary must sign the notary certification using his/her name exactly as it appears on the notary certificate of appointment and the stamp or seal. The notary's name must be legibly printed or stamped directly below their signature.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-120, filed 2/5/93, effective 3/8/93.]

WAC 308-30-130 Expired stamp or seal. The use of a stamp or seal with an expired date is prohibited.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-130, filed 2/5/93, effective 3/8/93.]

WAC 308-30-140 Notification of legal actions. The notary must notify the department of licensing of any conviction against him or her of official misconduct, and/or civil or criminal charges. Notification must be submitted within thirty days of such happening.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-140, filed 2/5/93, effective 3/8/93.]

WAC 308-30-150 Continuous qualification required. A notary public must continue to meet the requirements of RCW 42.44.020 (1)(b) or (c) throughout the term of appointment. A notary who fails to meet any one or more of the

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aforementioned requirements shall resign, or the director shall institute hearings to determine if the requirements have been met by the notary.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-150, filed 2/5/93, effective 3/8/93.]

WAC 308-30-155 Satisfactory evidence of identity. Satisfactory evidence of an individual identity shall be based on one of the following:

(1) Current documents issued by a federal or state government with the individual's photograph, signature, and physical description.

(2) The oath or affirmation of a credible person who personally knows the individual.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-155, filed 2/5/93, effective 3/8/93.]

WAC 308-30-160 Testimonials. A notary may not endorse or promote any service, contest, or other offering if the notary's seal or title is used in the endorsement or promotional statement.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-160, filed 2/5/93, effective 3/8/93.]

WAC 308-30-170 Application of brief adjudicative proceedings. The director adopts RCW 34.05.482 through 34.05.494 for the administration of brief adjudicative proceedings conducted by request, and/or at the discretion of the director pursuant to RCW 34.05.482, for the categories of matters set forth below. Brief adjudicative proceedings will be limited to a determination of one or more of the following issues:

(1) Whether an applicant for an appointment meets the minimum criteria for an appointment as a notary public in this state and the department proposes to deny the application;

(2) Whether a person is in compliance with the terms and conditions of a final order or agreement previously issued by the department; and

(3) Whether an appointment holder requesting renewal has submitted all required information and whether an appointment holder meets minimum criteria for renewal.

[Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-052, § 308-30-170, filed 5/1/97, effective 6/1/97.]

WAC 308-30-180 Preliminary record in brief adjudicative proceedings. (1) The preliminary record with respect to an application for appointment or reappointment shall consist of:

(a) The application for appointment or reappointment and all associated documents;

(b) All documents relied upon by the director in proposing to deny the appointment or reappointment; and

(c) All correspondence between the applicant for appointment or reappointment and the director regarding the application.

(2) The preliminary record with respect to determination of compliance with a previously issued final order or agreement shall consist of:

(a) The previously issued final order or agreement;

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(b) All reports or other documents submitted by, or at the direction of, the appointment holder, in full or partial fulfillment of the terms of the final order or agreement;

(c) All correspondence between the appointment holder and the director regarding compliance with the final order or agreement; and

(d) All documents relied upon by the director showing that the appointment holder has failed to comply with the previously issued final order or agreement.

[Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-052, § 308-30-180, filed 5/1/97, effective 6/1/97.]

WAC 308-30-190 Conduct of brief adjudicative proceedings. (1) Brief adjudicative proceedings shall be conducted by a presiding officer for brief adjudicative proceedings designated by the director. The presiding officer for brief adjudicative proceedings shall not have personally participated in the decision which resulted in the request for a brief adjudicative proceeding.

(2) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceedings shall designate the date by which written documents must be submitted by the parties.

(3) The presiding officer for brief adjudicative proceedings may, in his or her discretion, entertain oral argument from the parties or their representatives.

(4) No witnesses may appear to testify.

(5) In addition to the record, the presiding officer for brief adjudicative proceedings may employ department expertise as a basis for the decision.

(6) The presiding officer for brief adjudicative proceedings shall not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer for brief adjudicative proceedings shall enter an initial order.

[Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-052, § 308-30-190, filed 5/1/97, effective 6/1/97.]

Chapter 308-33 WAC

EMPLOYMENT AGENCIES—FEE SCHEDULES

WAC

308-33-011	Are the fees charged by employment agencies regulated?
308-33-030	What are the guidelines for establishing fees in employment agency contracts?
308-33-060	Does an employment agency have to notify the applicant of their fee in writing once a job has been accepted?
308-33-071	Signing of contracts—Applicant's rights.
308-33-090	Definition of a branch office.
308-33-095	General manager examination.
308-33-105	Employment agency fees.
308-33-110	Application of brief adjudicative proceedings.
308-33-120	Preliminary record in brief adjudicative proceedings.
308-33-130	Conduct of brief adjudicative proceedings.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-33-010	Excessive fees. [Order 337001, § 308-33-010, filed 2/26/70, effective 4/1/70.] Repealed by Order PL-142, filed 1/24/73. Later enactment, see WAC 308-33-011.
308-33-015	Request for excess fees. [Order PL-142, § 308-33-015, filed 1/24/73.] Repealed by 81-02-031 (Order PL 359), filed 1/5/81. Statutory Authority: RCW 19.31.070.

- 308-33-020 Director's review of fees and contracts. [Statutory Authority: RCW 19.31.070, 87-21-088 (Order PM 658), § 308-33-020, filed 10/21/87; 81-02-031 (Order PL 359), § 308-33-020, filed 1/5/81; Order PL-142, § 308-33-020, filed 1/24/73; Order 337001, § 308-33-020, filed 2/26/70, effective 4/1/70.] Repealed by 98-18-053, filed 8/28/98, effective 9/28/98. Statutory Authority: Chapter 19.31 RCW, RCW 43.240.086 [43.24.086] and 1998 c 346.
- 308-33-040 Resume selling—Generally. [Order PL 118, § 308-33-040, filed 3/22/72, effective 4/21/72.] Repealed by 87-21-088 (Order PM 658), filed 10/21/87. Statutory Authority: RCW 19.31.070.
- 308-33-050 Restrictions on agencies selling resumes. [Order PL 118, § 308-33-050, filed 3/22/72, effective 4/21/72.] Repealed by 87-21-088 (Order PM 658), filed 10/21/87. Statutory Authority: RCW 19.31.070.
- 308-33-070 Signing of contracts; employer paid fee contracts. [Order PL 118, § 308-33-070, filed 3/22/72, effective 4/21/72.] Repealed by Order PL-142, filed 1/24/73. Later enactment, see WAC 308-33-071.
- 308-33-080 Contract term guidelines. [Statutory Authority: RCW 19.31.070, 87-21-088 (Order PM 658), § 308-33-080, filed 10/21/87; Order PL-142, § 308-33-080, filed 1/24/73.] Repealed by 98-18-053, filed 8/28/98, effective 9/28/98. Statutory Authority: Chapter 19.31 RCW, RCW 43.240.086 [43.24.086] and 1998 c 346.
- 308-33-100 Employment agency—Fees. [Statutory Authority: RCW 43.24.085, 80-14-022 (Order 356), § 308-33-100, filed 9/25/80; Order PL 272, § 308-33-100, filed 7/26/77, effective 9/21/77; Order PL 213, § 308-33-100, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-33-105.

WAC 308-33-011 Are the fees charged by employment agencies regulated? Although fees are not regulated, employment agencies cannot require by contract or otherwise that an applicant pay in any one month period an amount which exceeds their gross earnings for that period.

Employment termination: How much does an applicant owe the employment agency?

- **Employed sixty days or less** - An applicant must pay up to twenty percent of the gross earnings received, or the full placement fee established in the employment agency contract, whichever is less.
- **Employed over sixty days** - An applicant must pay the full placement fee established in the employment agency contract. Within seventy days after reporting to work, an applicant may submit payroll information to the agency to reevaluate the fee due based on the actual gross earnings for the first sixty days of employment.

[Statutory Authority: Chapter 19.31 RCW, RCW 43.240.086 [43.24.086] and 1998 c 346, 98-18-053, § 308-33-011, filed 8/28/98, effective 9/28/98. Statutory Authority: RCW 19.31.070, 87-21-088 (Order PM 658), § 308-33-011, filed 10/21/87; 81-02-031 (Order PL 359), § 308-33-011, filed 1/5/81; Order PL 272, § 308-33-011, filed 7/26/77, effective 9/21/77; Order PL 243, § 308-33-011, filed 4/1/76; Order PL-142, § 308-33-011, filed 1/24/73. Formerly WAC 308-33-010.]

WAC 308-33-030 What are the guidelines for establishing fees in employment agency contracts? (1) The contract must list the fee charged to an applicant under the following headings:

- (a) Monthly salary;
- (b) Range of agency's fee expressed in dollars; and
- (c) Agency's fee as a percentage of the expected monthly salary.

A Monthly Salary	B Range of Agency's Fee Expressed in Dollars	C Agency's Fee as a Percent of Expected Monthly Compensation
Less than \$300.00	Up to \$90.00	30%
\$300.00 to \$349.99	\$120.00 to \$139.99	40%
\$350.00 to \$399.99	\$175.00 to \$199.99	50%

(2) The agency may list the annual salary and agency fee as a percentage of the expected annual salary in addition to column C in the example above.

(3) The contract must contain any additional information concerning fees as required by law.

(4) Agencies cannot indicate, orally or in writing, that their contract and fee schedules are "approved" or in any way "recommended" by the state. However, they can indicate their contracts are "approved for use."

(5) An example of contract terms acceptable to the director are available upon request.

[Statutory Authority: Chapter 19.31 RCW, RCW 43.240.086 [43.24.086] and 1998 c 346, 98-18-053, § 308-33-030, filed 8/28/98, effective 9/28/98. Statutory Authority: RCW 19.31.070, 87-21-088 (Order PM 658), § 308-33-030, filed 10/21/87; 81-02-031 (Order PL 359), § 308-33-030, filed 1/5/81; Order PL-142, § 308-33-030, filed 1/24/73; Order 337001, § 308-33-030, filed 2/26/70, effective 4/1/70.]

WAC 308-33-060 Does an employment agency have to notify the applicant of their fee in writing once a job has been accepted? If an applicant accepts a job through the efforts of an employment agency, the agency must notify the applicant of their fee in writing. The document must contain the following:

- (1) Amount of fee expressed in dollars;
- (2) Expected monthly or annual salary (whichever the fee is based upon);
- (3) Date applicant began or will begin working; and
- (4) Date payment is due to the agency.

[Statutory Authority: Chapter 19.31 RCW, RCW 43.240.086 [43.24.086] and 1998 c 346, 98-18-053, § 308-33-060, filed 8/28/98, effective 9/28/98. Statutory Authority: RCW 19.31.070, 87-21-088 (Order PM 658), § 308-33-060, filed 10/21/87; Order PL 118, § 308-33-060, filed 3/22/72, effective 4/21/72.]

WAC 308-33-071 Signing of contracts—Applicant's rights. (1) You must have an opportunity to discuss the contract and its terms with an authorized representative of the agency before signing.

(2) You must be given a signed carbon or duplicate copy of the contract immediately after signing.

(3) If you request only jobs in which the employer pays the agency fee, the agency must note that on all contracts prior to your signing the contract.

(4) If you accept a job and the fee is paid by the employer, the agency can request that you sign a contract obligating you to pay the agency fee if the job terminates within sixty days and the employer is reimbursed by the agency. All such contracts must contain the necessary information required by RCW 19.13.040 and must be approved by the director prior to their use.

[Statutory Authority: Chapter 19.31 RCW, RCW 43.240.086 [43.24.086] and 1998 c 346, 98-18-053, § 308-33-071, filed 8/28/98, effective 9/28/98; Order PL 272, § 308-33-071, filed 7/26/77, effective 9/21/77; Order PL-142, § 308-33-071, filed 1/24/73. Formerly WAC 308-33-070.]

WAC 308-33-090 Definition of a branch office. A branch office is any location physically separated from the principal place of business of a licensee where the licensee or his employees conduct any activity meeting the criteria of an employment agency as defined in RCW 19.31.020.

[Statutory Authority: Chapter 19.31 RCW, RCW 43.240.086 [43.24.086] and 1998 c 346, 98-18-053, § 308-33-090, filed 8/28/98, effective 9/28/98; Order PL-142, § 308-33-090, filed 1/24/73.]

WAC 308-33-095 General manager examination. (1) Examinations for general managers are written and consist of multiple choice questions covering the subject matter set forth in RCW 19.31.100.

(2) The minimum passing grade is seventy-five percent.

(3) Examinations are conducted at least once per month at locations specified by the director.

(4) The application and fee must be received by the department by the first of each month to be scheduled for the examination the following month. The fee is not refundable.

(5) Applicants failing the examination must submit a new application and fee.

(6) General managers who have passed the examination and become inactive in the employment agency business for more than one year are required to retake and pass the examination prior to being qualified to serve as a general manager.

[Statutory Authority: Chapter 19.31 RCW, RCW 43.240.086 [43.24.086] and 1998 c 346, 98-18-053, § 308-33-095, filed 8/28/98, effective 9/28/98. Statutory Authority: RCW 19.31.070, 87-21-088 (Order PM 658), § 308-33-095, filed 10/21/87; Order PL 272, § 308-33-095, filed 7/26/77, effective 9/21/77.]

WAC 308-33-105 Employment agency fees. The following fees shall be charged by the business and professions division of the department of licensing:

Title of Fee	Fee
Agencies:	
Original application and license	\$783.00
Renewal	648.00
Transfer of license	150.00
Duplicate license	15.00
New/amended contract or fee schedule review	50.00
Branch office:	
Original application and license	540.00
Renewal	540.00
Transfer of license	25.00
Duplicate license	15.00
General manager exam fee	150.00

[Statutory Authority: Chapter 19.31 RCW, RCW 43.240.086 [43.24.086] and 1998 c 346, 98-18-053, § 308-33-105, filed 8/28/98, effective 9/28/98. Statutory Authority: RCW 43.24.086, 90-06-052, § 308-33-105, filed 3/2/90, effective 4/2/90; 87-10-028 (Order PM 650), § 308-33-105, filed 5/1/87. Statutory Authority: 1983 c 168 § 12, 83-22-060 (Order PL 446), § 308-33-105, filed 11/2/83; 83-17-031 (Order PL 442), § 308-33-105, filed 8/10/83. Formerly WAC 308-33-100.]

WAC 308-33-110 Application of brief adjudicative proceedings. The director adopts RCW 34.05.482 through 34.05.494 for the administration of brief adjudicative proceedings conducted by request, and/or at the discretion of the director pursuant to RCW 34.05.482, for the categories of matters set forth below. Brief adjudicative proceedings will

be limited to a determination of one or more of the following issues:

(1) Whether an applicant for a license meets the minimum criteria for a license to practice as an employment agency, general manager or branch office in this state and the department proposes to deny the application;

(2) Whether a person is in compliance with the terms and conditions of a final order or agreement previously issued by the department; and

(3) Whether a license holder requesting renewal has submitted all required information and whether a license holder meets minimum criteria for renewal.

[Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c), 97-10-054, § 308-33-110, filed 5/1/97, effective 6/1/97.]

WAC 308-33-120 Preliminary record in brief adjudicative proceedings. (1) The preliminary record with respect to an application for an original or renewal license shall consist of:

(a) The application for the license or renewal and all associated documents;

(b) All documents relied upon by the director in proposing to deny the license or renewal; and

(c) All correspondence between the applicant for license or renewal and the director regarding the application.

(2) The preliminary record with respect to determination of compliance with a previously issued final order or agreement shall consist of:

(a) The previously issued final order or agreement;

(b) All reports or other documents submitted by, or at the direction of, the license holder, in full or partial fulfillment of the terms of the final order or agreement;

(c) All correspondence between the license holder and the director regarding compliance with the final order or agreement; and

(d) All documents relied upon by the director showing that the license holder has failed to comply with the previously issued final order or agreement.

[Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c), 97-10-054, § 308-33-120, filed 5/1/97, effective 6/1/97.]

WAC 308-33-130 Conduct of brief adjudicative proceedings. (1) Brief adjudicative proceedings shall be conducted by a presiding officer for brief adjudicative proceedings designated by the director. The presiding officer for brief adjudicative proceedings shall not have personally participated in the decision which resulted in the request for a brief adjudicative proceeding.

(2) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceedings shall designate the date by which written documents must be submitted by the parties.

(3) The presiding officer for brief adjudicative proceedings may, in his or her discretion, entertain oral argument from the parties or their representatives.

(4) No witnesses may appear to testify.

(5) In addition to the record, the presiding officer for brief adjudicative proceedings may employ department expertise as a basis for the decision.

(6) The presiding officer for brief adjudicative proceedings shall not issue an oral order. Within ten days of the final

date for submission of materials or oral argument, if any, the presiding officer for brief adjudicative proceedings shall enter an initial order.

[Statutory Authority: RCW 34.05.410 (1)(a) and 34.05.482 (1)(c). 97-10-054, § 308-33-130, filed 5/1/97, effective 6/1/97.]

Chapter 308-47 WAC

RULES OF PROCEDURE FOR CREMATION

WAC

308-47-010	Definitions.
308-47-020	Identification of human remains.
308-47-030	Holding human remains for cremation.
308-47-040	Cremation of human remains.
308-47-050	Processing of cremated human remains.
308-47-060	Packaging and storage of cremated human remains.
308-47-070	Disposition of cremated human remains.

WAC 308-47-010 Definitions. (1) **"Authorizing agent"** means the person(s) legally entitled to control the disposition of the human remains.

(2) **"Crematory"** the building or area of a building that houses a cremation chamber, to be used for the cremation of human remains.

(3) **"Crematory authority or endorsement"** the legal entity and their authorized representatives, licensed to perform cremations.

(4) **"Cremation chamber"** means the enclosed space in a crematory in which the cremation process takes place.

(5) **"Cremation"** means the reduction of human remains to bone fragments, in a crematory, by means of incineration.

(6) **"Cremated human remains"** means the end products of cremation.

(7) **"Pulverization"** is the reduction of identifiable bone fragments to unidentifiable dimensions by manual or mechanical means following cremation.

(8) **"Processing"** is the removal of foreign objects from cremated human remains and may include pulverization.

(9) **"Cremation container"** means the container in which the human remains must be enclosed before being placed in the cremation chamber for cremation. A cremation container must:

- Be composed of a combustible material. If the remains are delivered to a crematory in a noncombustible container, the authorizing agent must be informed of the disposition of the container, if the container is not actually used in the cremation process. Any transfer of human remains to combustible containers at the crematory must be in accordance with chapter 18.39 RCW, Title 308 WAC, and applicable public health laws.

- Be rigid enough for placement into the cremation chamber.

- Assure protection to the health and safety of the crematory operators and others.

- Provide a proper covering for the human remains.

- Be resistant to leakage or spillage of body fluids.

(10) **"Sealable container"** means any container in which cremated human remains can be placed and closed to prevent leakage or spillage of cremated human remains.

[Title 308 WAC—p. 138]

(11) **"Holding facility"** means an area designated for the care, storage and holding of human remains prior to disposition. A holding facility must:

- Comply with any applicable public health laws.

- Preserve the dignity of the human remains.

- Recognize the personal integrity, health and safety of employees and others.

- Be secure from access by anyone other than authorized personnel.

(12) **"Human remains"** means the body of a deceased person.

(13) **"Cadaver"** means the body of a deceased person, or any part thereof, which has been donated to science for medical research purposes.

(14) **"Body parts"** means limbs and other portions of human anatomy that have been removed from a person or human remains for medical purposes during treatment, surgery, biopsy, autopsy or medical research.

(15) **"Commingling"** means the mixing of cremated human remains of more than one deceased person.

(16) **"Residue"** means the cremation products that may unavoidably remain in the cremation chamber after manual sweeping techniques are performed.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-47-010, filed 9/9/02, effective 10/10/02.]

WAC 308-47-020 Identification of human remains. A crematory must not take custody of unidentified human remains. Before accepting human remains, the crematory must verify that identification is attached to the cremation container. Upon accepting human remains for cremation, the crematory must make a permanent record of the following:

- Name of deceased.

- Date of death.

- Place of death.

- Name and relationship of authorizing agent.

- Name of firm engaging crematory services.

- Description of the cremation container to be consumed with the human remains.

- An identification number assigned each human remains and inscribed on a metal disc or metal tag. The metal identification disc or tag must identify the crematory and accompany the human remains through each phase of the cremation, processing and packaging. The disc or tag identification number must be recorded on all paperwork regarding a human remains and in the crematory log.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-47-020, filed 9/9/02, effective 10/10/02.]

WAC 308-47-030 Holding human remains for cremation. (1) A crematory must not accept and hold human remains for cremation unless the human remains are contained in a cremation container.

(2) A crematory must not accept human remains in a cremation container having evidence of body fluid leakage.

(3) Human remains that are not embalmed must be held only within a refrigerated facility of adequate capacity, with a maximum temperature of 48 degrees Fahrenheit, or in compliance with applicable public health regulations.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-47-030, filed 9/9/02, effective 10/10/02.]

(2007 Ed.)

WAC 308-47-040 Cremation of human remains.

(1) Cremation must not take place until the burial transit permit and authorization for cremation are obtained.

(2) Immediately prior to being placed within the cremation chamber, the identification of the human remains must be verified by the crematory operator. Appropriate identification of the human remains will be placed near the cremation chamber in such a way as to identify the human remains being cremated. The metal identification disc or metal tag must be placed in the cremation chamber with the human remains.

(3) Simultaneous cremation of more than one human remains within the same cremation chamber is not permitted, unless written authorization is obtained from the authorizing agent of each human remains to be cremated simultaneously. Such written authorization will exempt the crematory from all liability for commingling the products of the cremation process.

(4) Simultaneous cremation of more than one human remains within the same cremation chamber may be performed without the authorizations required in subsection (3) of this section, if:

- Equipment, techniques, and other devices are employed that keep the human remains separate and distinct, before and during the cremation process.
- Recoverable cremated remains are kept separate and distinct after the cremation process.

(5) Crematories licensed by the state cemetery board or the board of funeral directors and embalmers, will only be used for the cremation of human remains, cadavers, or human body parts.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-47-040, filed 9/9/02, effective 10/10/02.]

WAC 308-47-050 Processing of cremated human remains. (1) Upon completion of the cremation, the products of the cremation process must be removed from the cremation chamber, with the exception of residue.

(2) The cremation products must be placed within an individual container or tray in such a way that will insure against commingling with other cremated human remains.

(3) Identification must be attached to the container or tray.

(4) All cremated human remains must undergo processing to comply with applicable legal requirements.

(5) Processing or pulverization of cremated human remains may not be required if cremated human remains are to be placed in a cemetery, mausoleum, columbarium, or building devoted exclusively to religious purposes, or where religious or cultural beliefs oppose the practice.

(6) All body prostheses, bridgework, or similar items removed from the cremated human remains during processing will be disposed of by the crematory, as directed by the authorizing agent.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-47-050, filed 9/9/02, effective 10/10/02.]

WAC 308-47-060 Packaging and storage of cremated human remains. (1) The cremated human remains must be placed in a sealable container, or in such container as may have been ordered or supplied by the authorizing agent.

(2007 Ed.)

(2) The packaged cremated human remains will be identified. The metal identification disc or metal tag must stay with the cremated human remains.

(3) If the cremated human remains do not completely fill the container, the remaining space may be filled with suitable packaging material. The container must then be securely closed.

(4) If the entire cremated human remains will not fit within the designated container, the remainder of the cremated human remains must be returned to the authorizing agent in a second container, clearly identified as being part of, and together with, the designated container. Upon written consent of the authorizing agent, excess cremated human remains may be disposed of in any legal manner.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-47-060, filed 9/9/02, effective 10/10/02.]

WAC 308-47-070 Disposition of cremated human remains. (1) A crematory must keep a permanent record of all cremations performed and the disposition or release of the cremated human remains. The record must include the following information:

- Date of death.
- Date burial transit permit was issued.
- Date of delivery of human remains to the crematory.
- Date of cremation.
- Name of crematory operator performing the cremation.
- Name of person performing packaging, and date of packaging.
- Date of release or date of disposition of the cremated human remains.

(2) When cremated human remains have been in the possession of a crematory, funeral establishment or cemetery for a period of two years or more, the entity holding the cremated human remains may arrange for disposition in any legal manner, provided the entity:

- Attempts to contact the authorizing agent for disposition instructions by registered mail.
- Informs the authorizing agent(s) of the procedures that will be followed if disposition instructions are not received.
- Informs the authorizing agent(s) that disposition will take place if disposition instructions are not received within sixty days of initiation of the contact process.
- Informs the authorizing agent(s) that recovery of the cremated human remains, after the disposition, may or may not be possible.
- Maintains a permanent record of the location of the disposition.

(3) No entity making disposition of cremated human remains under subsection (2) of this section will be liable for the disposition or nonrecoverability of cremated human remains.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-47-070, filed 9/9/02, effective 10/10/02.]

Chapter 308-48 WAC

FUNERAL DIRECTORS AND EMBALMERS

WAC

308-48-010
308-48-030

Definitions.
Care of human remains.

308-48-031	Funeral establishment facility, equipment, and embalming and preparation room standards.		165, filed 7/11/86. Statutory Authority: RCW 18.39.175. 83-04-020 (Order PL 419), § 308-48-165, filed 1/26/83.] Repealed by 90-17-148, filed 8/22/90, effective 9/22/90. Statutory Authority: RCW 18.39.175(4).
308-48-040	Control of human remains.		
308-48-050	Confidence.		
308-48-060	Against concealment of crime.		
308-48-075	Display of licenses.	308-48-170	Collegiate level hours. [Order PL 122, § 308-48-170, filed 5/9/72.] Repealed by 83-04-021 (Order PL 420), filed 1/26/83. Statutory Authority: 1982 c 66 § 12.
308-48-080	Improper use of license.		
308-48-085	Funeral establishments and crematories—Inspections.		
308-48-110	Revocation of license.	308-48-175	Application to national boards—Embalmers. [Order PL 273, § 308-48-175, filed 8/1/77; Order PL-259, § 308-48-175, filed 12/7/76.] Repealed by 83-04-021 (Order PL 420), filed 1/26/83. Statutory Authority: 1982 c 66 § 12.
308-48-145	Approval of embalming schools and accrediting associations.		
308-48-150	Course of training—Apprentice funeral director.		
308-48-160	Course of training—Apprentice embalmers.		
308-48-180	Renewal of licenses, registrations, endorsements and permits.	308-48-185	Funeral establishments and crematories—License expiration. [Statutory Authority: RCW 18.39.175(4). 98-21-056, § 308-48-185, filed 10/19/98, effective 11/19/98; Order PL 273, § 308-48-185, filed 8/1/77.] Repealed by 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
308-48-190	Examination fee.		
308-48-200	Report of apprenticeship registration, termination, transfer and credit.		
308-48-210	Establishment licensure.		
308-48-350	AIDS prevention and information education requirements.	308-48-19001	Definition—Employ. [Order PL 273, § 308-48-190 (codified as WAC 308-48-19001), filed 8/1/77.] Repealed by 83-04-021 (Order PL 420), filed 1/26/83. Statutory Authority: 1982 c 66 § 12.
308-48-510	Continuing education requirements—Purpose.		
308-48-520	Effective date of continuing education requirement.		
308-48-530	Continuing education basic requirement—Amount.	308-48-250	Fees. [Statutory Authority: 1983 c 168 § 12. 83-17-031 (Order PL 442), § 308-48-250, filed 8/10/83. Formerly WAC 308-48-310.] Repealed by 87-10-028 (Order PM 650), filed 5/1/87. Statutory Authority: RCW 43.24.086.
308-48-540	Continuing education requirement to reinstate lapsed license or registration.		
308-48-550	Continuing education reporting requirement.		
308-48-560	Continuing education documentation may be required.		
308-48-570	Continuing education discretionary exception for emergency situation.	308-48-300	License renewal fee. [Order PL-163, § 308-48-300, filed 3/18/74.] Repealed by Order PL 207, filed 11/5/75. Later promulgation, see WAC 308-48-310.
308-48-580	Board approval of continuing education activities.		
308-48-590	Qualification for board approval of continuing education activities.	308-48-310	Funeral directors and embalmers—Fees. [Statutory Authority: RCW 43.24.085. 80-14-022 (Order 356), § 308-48-310, filed 9/25/80; Order PL 273, § 308-48-310, filed 8/1/77; Order PL-259, § 308-48-310, filed 12/7/76; Order PL 207, § 308-48-310, filed 11/5/75.] Repealed by 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-48-250.
308-48-600	Procedure for obtaining board approval of continuing education activity.		
308-48-780	Crematories—Inspections.		
308-48-800	Funeral director/embalmer fees.		
308-48-810	Brief adjudicative proceedings—When they can be used.		
308-48-815	Objections to brief adjudicative proceedings and conversion to formal adjudicative hearings.	308-48-320	Uniform Disciplinary Act. [Statutory Authority: 1984 c 279 § 35. 84-21-132 (Order PL 492), § 308-48-320, filed 10/24/84.] Repealed by 85-19-013 (Order PL 550), filed 9/6/85. Statutory Authority: RCW 18.39.175 (4) and (6) and 18.39.176.
DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER			
308-48-020	Misconduct enumerated in statute. [Rule 2, filed 9/17/64.] Repealed by 83-04-021 (Order PL 420), filed 1/26/83. Statutory Authority: 1982 c 66 § 12.	308-48-700	Definitions. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. 85-21-066 (Order PL 561), § 308-48-700, filed 10/17/85.] Repealed by 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
308-48-070	Fraud and deceit. [Rule 7, filed 9/17/64.] Repealed by 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).	308-48-710	Identification of human remains. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. 85-21-066 (Order PL 561), § 308-48-710, filed 10/17/85.] Repealed by 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
308-48-090	Absence of licensee. [Order PL 273, § 308-48-090, filed 8/1/77; Rule 9, filed 9/17/64.] Repealed by 83-04-021 (Order PL 420), filed 1/26/83. Statutory Authority: 1982 c 66 § 12.	308-48-720	Holding human remains for cremation. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. 85-21-066 (Order PL 561), § 308-48-720, filed 10/17/85.] Repealed by 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
308-48-100	Improper methods for seeking business. [Statutory Authority: RCW 18.39.175 (4) and (5). 85-19-014 (Order PL 551), § 308-48-100, filed 9/6/85; Rule 10, filed 9/17/64.] Repealed by 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).	308-48-730	Cremation of human remains. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. 85-21-066 (Order PL 561), § 308-48-730, filed 10/17/85.] Repealed by 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
308-48-115	Director's designees. [Order PL 273, § 308-48-115, filed 8/1/77.] Repealed by 83-04-021 (Order PL 420), filed 1/26/83. Statutory Authority: 1982 c 66 § 12.	308-48-740	Processing of cremated remains. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. 85-21-066 (Order PL 561), § 308-48-740, filed 10/17/85.] Repealed by 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
308-48-120	Apprentices—Credit limitation for prior employment. [Rules, § 1, filed 10/5/67.] Repealed by 86-15-022 (Order PM 604), filed 7/11/86. Statutory Authority: RCW 18.39.175(4).	308-48-750	Packaging and storage of cremated or processed remains. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. 85-21-066 (Order PL 561), § 308-48-750, filed 10/17/85.] Repealed by 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
308-48-130	College credit. [Rules, § 2, filed 10/5/67.] Repealed by 86-15-022 (Order PM 604), filed 7/11/86. Statutory Authority: RCW 18.39.175(4).	308-48-760	Disposition of cremated or processed remains. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. 85-21-066 (Order PL 561), § 308-48-760, filed 10/17/85.] Repealed by 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
308-48-140	Licenses—Applicants from other states. [Statutory Authority: RCW 18.35.175(4). 88-13-010 (Order PM 737), § 308-48-140, filed 6/6/88; 86-15-022 (Order PM 604), § 308-48-140, filed 7/11/86. Statutory Authority: RCW 18.39.130, as amended by SHB 871. 83-01-111 (Order PL 416), § 308-48-140, filed 12/21/82; Order 700801, § 308-48-140, filed 8/25/70.] Repealed by 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.	308-48-770	Endorsement required. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. 85-21-066 (Order PL 561), § 308-48-770, filed 10/17/85.]
308-48-165	Examination subjects. [Statutory Authority: RCW 18.39.175(4). 86-15-022 (Order PM 604), § 308-48-		

- Repealed by 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
- 308-48-790 Crematory endorsements—Registration—Expiration. [Statutory Authority: RCW 18.35.175(4). 88-13-010 (Order PM 737), § 308-48-790, filed 6/6/88. Statutory Authority: RCW 18.39.175(4) as amended by 1985 c 402 § 6. 86-05-031 (Order PL 581), § 308-48-790, filed 2/19/86.] Repealed by 98-21-056, filed 10/19/98, effective 11/19/98. Statutory Authority: RCW 18.39.175(4).
- 308-48-820 Preliminary record in brief adjudicative proceedings. [Statutory Authority: RCW 18.39.175(4). 97-21-063, § 308-48-820, filed 10/14/97, effective 11/14/97.] Repealed by 05-23-150, filed 11/22/05, effective 12/23/05. Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW.
- 308-48-830 Conduct of brief adjudicative proceedings. [Statutory Authority: RCW 18.39.175(4). 97-21-063, § 308-48-830, filed 10/14/97, effective 11/14/97.] Repealed by 05-23-150, filed 11/22/05, effective 12/23/05. Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW.

WAC 308-48-010 Definitions. For the purpose of these rules, the following terms will be construed as follows:

(1) "Licensee" will mean any person or entity holding a license, registration, endorsement, or permit issued by the director.

(2) "In its employ" as used in RCW 18.39.148 will include personnel who are employed on a part-time basis as well as personnel who are employed on a full-time basis.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-48-010, filed 9/9/02, effective 10/10/02; 86-15-022 (Order PM 604), § 308-48-010, filed 7/11/86. Statutory Authority: RCW 18.39.175. 83-04-020 (Order PL 419), § 308-48-010, filed 1/26/83; Rule 1, filed 9/17/64.]

WAC 308-48-030 Care of human remains. (1) Funeral establishments, funeral directors, embalmers, apprentices, employees or agents while providing for the care and handling of human remains shall:

(a) Comply with all applicable Washington state laws, rules and regulations related to health or the handling, transportation or disposition of human remains.

(b) Not perform any act which will tend to affect adversely the dignity, individual integrity or the respectful and reverential handling and burial or other customary disposition of human remains.

(c) Upon receipt of the human remains, obtain the identity of the human remains as established by the institution, agency, or individual releasing the remains.

(d) Place an identification bracelet or tag on the ankle or wrist of the remains. In the case of a remains that must be placed in a protective pouch due to the condition of the remains, an identification bracelet or tag should be placed inside the pouch and a second bracelet or tag attached to the exterior of the pouch.

(e) Follow the directions of the individual or individuals that has/have the right to control the disposition of the human remains.

(f) Record and maintain the following information:

(i) Name of deceased;

(ii) Date of death;

(iii) Place of death;

(iv) Name and relationship of person(s) having the right to control the disposition;

(v) Date and time of receipt of remains;

(vi) Date and time of refrigeration and/or embalming;

(vii) Method, date and location of disposition.

(g) Not separate any organs, viscera or appendages of a human remains from any other portion of the remains for a separate or different disposition. The entire human remains that the funeral establishment has received and has possession of must be maintained and disposed of as one entity.

(h) Provide refrigerated holding of a human remains for which embalming has not been authorized.

(2) The care and preparation for burial or other disposition of all human remains shall be private. No one shall be allowed in the embalming or preparation rooms while a human remains is being embalmed or during the course of an autopsy except the licensee, his authorized employees, and public officials in the discharge of their duties. This rule shall not apply to duly authorized medical personnel employed in a case, nor to members of the immediate family of the deceased or those authorized to be present by the decedent's next of kin.

(3) Every licensee shall provide a written itemization of any property, money, jewelry, possessions or other items of significant value found on a human remains in the licensee's care, custody or control to the decedent's next of kin or the proper authorities.

[Statutory Authority: RCW 18.39.175(4). 97-21-061, § 308-48-030, filed 10/14/97, effective 11/14/97. Statutory Authority: RCW 18.39.157(4) [18.39.175(4)]. 88-08-015 (Order PM 716), § 308-48-030, filed 3/28/88. Statutory Authority: RCW 18.39.175. 83-04-020 (Order PL 419), § 308-48-030, filed 1/26/83; Rule 3, filed 9/17/64.]

WAC 308-48-031 Funeral establishment facility, equipment, and embalming and preparation room standards. A funeral establishment or branch establishment shall:

(1) Have an exclusive area/office at an identified location for conducting the business which is accessible to the public.

(2) Provide private and secure area(s) for holding human remains which will include:

(a) A refrigerated holding area of adequate capacity for unembalmed remains with a maximum temperature of 48 degrees Fahrenheit;

(b) A sink with hot and cold running water;

(c) Covered receptacles for soiled linens, bandages, refuse and other waste materials which meet OSHA, WISHA, department of health and any other applicable regulations;

(d) Adequate chemicals for the disinfection of human remains and the equipment used in handling and caring for human remains;

(e) Chemical storage that meets OSHA, WISHA, department of health and any other applicable regulations.

(3) Provide rest rooms that are available for staff and the public.

(4) In the case where the holding of human remains is not provided at this facility, provide the identification of the facility upon request to the board and the individual or individuals that has/have the right to control the disposition of the human remains where this establishment or branch provides for the holding and/or preparation of the human remains entrusted to its care (this off-site facility must meet the requirements of subsection (2) of this section).

(5) Provide for the privacy of uncasketed human remains in vehicles used for transportation of the remains by screening, curtains, or adequately tinted windows.

(6) Provide that if embalming is performed at the establishment or branch, no embalming of a human remains shall be performed in a funeral establishment or branch establishment except in a room set aside exclusively for embalming of a human remains. Such room shall be maintained and kept in a clean sanitary condition, and every embalming and preparation room shall be constructed, equipped, and maintained as follows:

(a) The surfaces of the floor, walls, and ceiling shall be covered with tile or other hard, smooth, impervious washable material.

(b) The room shall be adequately lighted and adequately ventilated. The ventilation shall be provided by an exhaust fan or by an appropriate air-conditioning unit.

(c) The room shall be equipped and provided with hot and cold running water, a utility sink, and cabinets, closets or shelves for instruments and supplies.

(d) The room shall be equipped with adequate sewage and waste disposal and drainage facilities and systems.

(e) The doors shall be tight closing and rigid and any windows of the room shall be so maintained as to obstruct any view into such room. The room's entry door(s) must be labeled "Private" or "Authorized Entry Only," and must be locked at all times.

(f) The embalming or preparation table shall be nonporous.

(g) The room shall be equipped with proper and convenient covered receptacles for refuse.

[Statutory Authority: RCW 18.39.175(4), 02-19-019, § 308-48-031, filed 9/9/02, effective 10/10/02; 97-21-060, § 308-48-031, filed 10/14/97, effective 11/14/97. Statutory Authority: RCW 18.39.157(4) [18.39.175(4)], 88-08-015 (Order PM 716), § 308-48-031, filed 3/28/88.]

WAC 308-48-040 Control of human remains. (1) No licensee will, directly or indirectly, assume control of any human remains without having first obtained authority from the person(s), their responsible representatives, or persons lawfully entitled to such control.

(2) A licensee in charge of human remains will be governed by the directions of those lawfully entitled to such control, as to matters relating to the preparation, handling and final disposition of the human remains (including steps in preparation, autopsy, embalming, dressing, viewing, videotaping, photographing; funeral, burial and cremation merchandise, and disposition arrangements.

[Statutory Authority: RCW 18.39.175(4), 02-19-019, § 308-48-040, filed 9/9/02, effective 10/10/02; Rule 4, filed 9/17/64.]

WAC 308-48-050 Confidence. No licensee will divulge any information as to illness, cause of death, financial affairs or transactions, and any other information customarily considered confidential, obtained while serving in such licensed capacity.

[Statutory Authority: RCW 18.39.175(4), 02-19-019, § 308-48-050, filed 9/9/02, effective 10/10/02; Rule 5, filed 9/17/64.]

WAC 308-48-060 Against concealment of crime. (1) No licensee will remove, embalm, or perform other prepara-

tion of a human remains when he/she has information indicating crime or violence in connection with the cause of death, until permission is obtained from a coroner, medical examiner or other qualified official.

(2) Any licensee having or obtaining, as a result of providing services, any information in relation to a possible crime must communicate such information to a properly qualified official.

(3) No licensee will perform any act knowing that it will conceal evidence of crime.

[Statutory Authority: RCW 18.39.175(4), 02-19-019, § 308-48-060, filed 9/9/02, effective 10/10/02; 86-15-022 (Order PM 604), § 308-48-060, filed 7/11/86; Rule 6, filed 9/17/64.]

WAC 308-48-075 Display of licenses. (1) A licensee must display a license in each location where he/she is employed. Legal duplicates provided by the department at a fee to be determined by the director will be displayed when a licensee is employed at more than one location. The display of photocopies is prohibited.

[Statutory Authority: RCW 18.39.175(4), 87-11-063 (Order PM 652), § 308-48-075, filed 5/20/87.]

WAC 308-48-080 Improper use of license. No license shall place, permit to be placed or authorize the placement of his license in any establishment of place of business unless he be an owner, part owner or bona fide employee of such place of business, nor shall he lend his license (or any copy thereof) for use by any establishment or place of business in which he has no such interest, nor shall he suffer any establishment or place of business to pretend or represent that it is legally qualified to perform funeral directing or embalming by any such improper use of his license.

[Rule 8, filed 9/17/64.]

WAC 308-48-085 Funeral establishments and crematories—Inspections. (1) Funeral establishments and crematories licensed under the provisions of chapter 18.39 RCW will be inspected at least once each year by the duly appointed department inspector.

(2) Inspections shall cover compliance with applicable statutes and rules. Funeral establishments and crematories will be open for inspection during normal business hours. If the establishment or crematory is not open, the ownership must identify someone to the department that can open the establishment or crematory for an unannounced inspection, or provide a method of access to the inspector.

[Statutory Authority: RCW 18.39.175(4), 02-19-019, § 308-48-085, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.157(4) [18.39.175(4)], 88-08-015 (Order PM 716), § 308-48-085, filed 3/28/88; Order PL 273, § 308-48-085, filed 8/1/77.]

WAC 308-48-110 Revocation of license. No individual whose license has been revoked shall be eligible for licensure as a funeral director or embalmer in this state for a period of five years from the date of such revocation. Upon expiration of the 5-year period, such individual may apply for reinstatement provided he successfully retakes the examination and meets all the minimum requirements of RCW 18.39.035.

[Statutory Authority: RCW 18.39.175. 83-04-020 (Order PL 419), § 308-48-110, filed 1/26/83; Order PL 273, § 308-48-110, filed 8/1/77; Rule 11, filed 9/17/64.]

WAC 308-48-145 Approval of embalming schools and accrediting associations. (1) The board adopts the standards of the American Board of Funeral Service Education, Inc., in approving courses of instruction in embalming schools, pursuant to RCW 18.39.035(2). The board approves all schools accredited by, and in good standing with, the American Board of Funeral Service Education, Inc.

(2) The board approves associations accrediting schools, colleges or universities providing a two-year college course pursuant to RCW 18.39.045. The board approves of accrediting groups recognized by the Council for Higher Education Accreditation. The board adopts the standards of the Council for Higher Education Accreditation.

The board may approve other accrediting associations which meet the board's standards. It is the responsibility of an association to apply for approval and of an applicant to ascertain whether or not a school, college or university has been accredited by an association approved by the board.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-48-145, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4), 18.39.035(2) and 18.39.045. 84-11-059 (Order PL 468), § 308-48-145, filed 5/18/84.]

WAC 308-48-150 Course of training—Apprentice funeral director. (1) For the purposes of RCW 18.39.035, the term "one year course of training" shall include assisting a licensed funeral director in coordinating all aspects of at least twenty-five arrangements for funeral, memorial and/or final disposition services for human remains.

(2) The term "one year" shall consist of at least eighteen hundred hours of employment and cannot be completed in a period of time less than one calendar year.

(3) Registered apprentice funeral directors shall provide a quarterly report to the board on a form supplied by the board containing information relating to the arrangements, services, final dispositions, and other duties of a funeral director the apprentice has assisted with or performed during the required term of apprenticeship.

(4) Licensed sponsors shall provide a quarterly report to the board on a form supplied by the board showing the progress of the apprentice toward the skill level required to work independently.

(5) Registered apprentice funeral directors may receive training from their sponsor and other licensed funeral directors as approved by the sponsor.

[Statutory Authority: RCW 18.39.175(4). 97-21-062, § 308-48-150, filed 10/14/97, effective 11/14/97; 86-15-022 (Order PM 604), § 308-48-150, filed 7/11/86; Order PL-259, § 308-48-150, filed 12/7/76; Order PL 122, § 308-48-150, filed 5/9/72.]

WAC 308-48-160 Course of training—Apprentice embalmers. (1) For the purposes of RCW 18.39.035, the term "two year course of training" shall include the embalming of at least fifty human remains under the supervision of a licensed embalmer.

(2) The term "two year" shall consist of at least thirty-six hundred hours of employment and cannot be completed in a period of time less than two calendar years.

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(3) Registered apprentice embalmers shall provide a quarterly report to the board on a form supplied by the board containing information relating to the embalmings the apprentice has assisted with or performed during the required term of apprenticeship.

(4) Licensed sponsors shall provide a quarterly report to the board on a form supplied by the board showing the progress of the apprentice toward the skill level required to work independently.

(5) Registered apprentice embalmers may receive training from their sponsor and other licensed embalmers as approved by the sponsor.

[Statutory Authority: RCW 18.39.175(4). 97-21-062, § 308-48-160, filed 10/14/97, effective 11/14/97; 86-15-022 (Order PM 604), § 308-48-160, filed 7/11/86; Order PL-259, § 308-48-160, filed 12/7/76; Order PL 122, § 308-48-160, filed 5/9/72.]

WAC 308-48-180 Renewal of licenses, registrations, endorsements and permits. (1) The annual license or registration renewal date for embalmers, funeral directors and apprentices is the licensee's birthdate. Individuals making application and fulfilling requirements for initial license and examination will be issued a license or registration which will expire on their next birth date.

(2) Funeral establishments, branch establishments, pre-arrangement sales licenses, and crematories must renew their licenses annually.

(3) Before the expiration date of the license, the director will mail a notice of renewal. The licensee must return such notice along with current renewal fees prior to the expiration of the license. Failure to renew the license prior to the expiration date will require payment of the penalty fee.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-48-180, filed 9/9/02, effective 10/10/02; Order PL 207, § 308-48-180, filed 11/5/75; Order PL 171, § 308-48-180, filed 5/20/74.]

WAC 308-48-190 Examination fee. Examination fees paid pursuant to the provisions of RCW 18.39.070(1) are not refundable unless the applicant notifies the department in writing at least 15 days prior to the scheduled exam date that he will not appear.

[Statutory Authority: RCW 18.39.175. 83-04-020 (Order PL 419), § 308-48-190, filed 1/26/83; Order PL-249, § 308-48-190, filed 5/21/76.]

WAC 308-48-200 Report of apprenticeship registration, termination, transfer and credit. (1) The responsibility for notifying the director, department of licensing of apprenticeship registration and termination rests with the employing funeral establishment. In order to protect the status of the apprentice in cases where the employing licensee fails to initiate the required report of registration or termination, the affected apprentice should initiate and ensure submission of same. The notification shall be certified by signature of the sponsor.

(2) No credit for apprenticeship will be allowed for any period during which the apprentice is not registered pursuant to RCW 18.39.120. In the event an apprentice's sponsor dies or is otherwise incapable of certifying apprenticeship credit, such credit may be given by certification by another licensed funeral director or embalmer who has knowledge of the work

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performed and the credit due or by documentation or reasonable proof of such credit as determined by the board.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-48-200, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.120 and 18.39.175. 88-01-024 (Order PM 697), § 308-48-200, filed 12/9/87. Statutory Authority: RCW 18.39.175. 83-04-020 (Order PL 419), § 308-48-200, filed 1/26/83; Order PL-249, § 308-48-200, filed 5/21/76.]

WAC 308-48-210 Establishment licensure. (1) It is the intent of the board that the establishment licensure process serve to protect consumers by identifying to the department all locations subject to regulation. Any provider of any aspect of the care, shelter, transportation, embalming, other preparation and arrangements for the disposition of human remains must be licensed as a funeral establishment. Establishments must obtain a funeral establishment or branch license for each location.

(2) Branches of an establishment may operate under the general license of the establishment, pursuant to RCW 18.39.145 and 18.39.148 and the following terms and conditions:

(a) Branch(es) must operate under the same name as the establishment.

(b) Branch(es) must display a current branch license.

(c) Branch(es) must have a licensed funeral director and embalmer in its employ and available to provide any services requiring the professional skills of a licensee.

(d) The failure of a branch to meet the standards of an establishment may result in cancellation of the establishment license, pursuant to RCW 18.39.148.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-48-210, filed 9/9/02, effective 10/10/02; 87-11-063 (Order PM 652), § 308-48-210, filed 5/20/87.]

WAC 308-48-350 AIDS prevention and information education requirements. (1) Definitions.

(a) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(b) "Office on AIDS" means that section within the department of social and health services or any successor department with jurisdiction over public health matters as defined in 70.24 RCW.

(2) Renewal of funeral director and/or embalmer licenses or apprenticeship registrations, and all persons making initial application for funeral director and/or embalmer licensure, or initial renewal of funeral director and/or embalmer apprenticeship registration must submit evidence to show compliance with the education requirements of subsection (3) of this section.

(3) AIDS education and training.

(a) Acceptable education and training. The board will accept education and training that is consistent with the model curriculum available from the office on AIDS. Such education and training must be a minimum of four and one half clock hours and must include, but is not limited to, the following: Prevention, transmission and treatment of AIDS.

(b) Implementation. The requirement for initial funeral director and/or embalmer licensure, the first renewal of a funeral director and/or embalmer apprenticeship registration, or reinstatement of any license or apprenticeship registration

on lapsed, inactive, or disciplinary status will include evidence of completion of an education and training program, which meets the requirements of subsection (a).

(c) Documentation. The applicant must:

(i) Certify, on forms provided, that the minimum education and training has been completed;

(ii) Keep records for five years documenting attendance and description of the learning;

(iii) Be prepared to validate, through submission of these records, that attendance has taken place.

(4) Continuing education. The AIDS education requirement may be counted towards the fulfillment of the continuing education requirement.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-48-350, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 70.24.270. 89-04-002 (Order PM 793), § 308-48-350, filed 1/19/89.]

WAC 308-48-510 Continuing education requirements—Purpose. Continuing education activities, approved by the board of funeral directors and embalmers, shall be required as a condition of renewal of funeral director and embalmer licenses and of apprentice funeral director and apprentice embalmer registration, in order to maintain and improve the quality of their services to the public.

[Statutory Authority: 1984 c 279 § 53(b). 85-01-077 (Order PL 504), § 308-48-510, filed 12/19/84.]

WAC 308-48-520 Effective date of continuing education requirement. The effective date of the continuing education requirement will be two years after initial licensure as a funeral director and/or embalmer, or initial registration as an apprentice funeral director and/or embalmer.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-48-520, filed 9/9/02, effective 10/10/02. Statutory Authority: 1984 c 279 § 53(b). 85-01-077 (Order PL 504), § 308-48-520, filed 12/19/84.]

WAC 308-48-530 Continuing education basic requirement—Amount. (1) Every individual licensed as a funeral director and/or embalmer shall be required to complete ten hours of approved continuing education every two years as a condition of renewal of such licenses.

(2) Every individual registered as an apprentice funeral director and/or apprentice embalmer shall be required to complete ten hours of approved continuing education every two years as a condition of renewal of such registration.

(3) Continuing education credits in excess of the required hours earned in any renewal period may not be carried forward to a subsequent renewal period.

(4) The department shall not renew a license or registration or issue a new license or registration to any person who has failed to submit evidence of completion of ten hours of approved continuing education for the prior two-year period.

[Statutory Authority: 1984 c 279 § 53(b). 85-01-077 (Order PL 504), § 308-48-530, filed 12/19/84.]

WAC 308-48-540 Continuing education requirement to reinstate lapsed license or registration. Any person seeking to reinstate a license or registration which has lapsed for less than one year must comply with the continuing education requirements for regular renewal of the license or registration. Any person seeking to reinstate a license or registra-

tion which has lapsed for one year or longer must present satisfactory evidence of having completed at least ten hours of approved continuing education activities for the two-year period prior to his or her reinstatement.

[Statutory Authority: RCW 18.39.175(7), 90-24-056, § 308-48-540, filed 12/3/90, effective 1/3/91. Statutory Authority: 1984 c 279 § 53(b), 85-01-077 (Order PL 504), § 308-48-540, filed 12/19/84.]

WAC 308-48-550 Continuing education reporting requirement. (1) The licensee or registrant shall submit an affidavit certifying compliance with the continuing education requirement on the form provided by the board. The affidavit shall be submitted with license or registration renewal fee every two years.

(2) A material misstatement of information on the continuing education report shall be grounds for disciplinary action, including nonrenewal, suspension or revocation of license or registration.

[Statutory Authority: RCW 18.39.120 and 18.39.175, 88-01-024 (Order PM 697), § 308-48-550, filed 12/9/87. Statutory Authority: 1984 c 279 § 53(b), 85-01-077 (Order PL 504), § 308-48-550, filed 12/19/84.]

WAC 308-48-560 Continuing education documentation may be required. The board of funeral directors and embalmers reserves the right to require any licensee or registrant to submit evidence, e.g., course or program certificate of training, transcript, course or workshop brochure description, evidence of attendance, etc., in addition to the sworn statement in order to demonstrate compliance with the continuing education requirement. It is therefore the responsibility of each licensee or registrant to maintain records, certificates or other evidence of compliance with the continuing education requirements. The original or a copy of such evidence of compliance shall be available for inspection at the licensee or registrant's principal place of employment.

[Statutory Authority: RCW 18.39.175(7), 90-24-056, § 308-48-560, filed 12/3/90, effective 1/3/91. Statutory Authority: 1984 c 279 § 53(b), 85-01-077 (Order PL 504), § 308-48-560, filed 12/19/84.]

WAC 308-48-570 Continuing education discretion—ary exception for emergency situation. In emergency situations, such as personal or family sickness, the board of funeral directors and embalmers may waive, for good cause shown, all or part of the continuing education requirement for a particular two-year period for an individual licensee or registrant. The board will require such verification of the emergency as is necessary to prove its existence.

[Statutory Authority: 1984 c 279 § 53(b), 85-01-077 (Order PL 504), § 308-48-570, filed 12/19/84.]

WAC 308-48-580 Board approval of continuing education activities. All continuing education activities, to satisfy the licensure/registration requirements, must be approved by the board of funeral directors and embalmers. Further, the board shall certify the number of hours to be awarded for participation in each approved continuing education activity.

[Statutory Authority: 1984 c 279 § 53(b), 85-01-077 (Order PL 504), § 308-48-580, filed 12/19/84.]

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WAC 308-48-590 Qualification for board approval of continuing education activities. (1) In order for a continuing education activity to qualify for board approval, the following qualifications must be met:

(a) The activity must contribute directly to the professional competency of the licensee or registrant;

(b) The activity must relate to the practice of mortuary science or, for a registrant, be a course required for initial licensure;

(c) The activity must be conducted by individuals who are considered by the board to be knowledgeable in the subject matter of the program by virtue of education, training, or experience.

(2) The board may approve as continuing education activities courses, lectures, seminars, correspondence or homestudy programs, or other instructional programs which meet the above qualifications and which the board determines would be beneficial in improving the knowledge or service capability of licensees and registered apprentices.

[Statutory Authority: RCW 18.39.120 and 18.39.175, 88-01-024 (Order PM 697), § 308-48-590, filed 12/9/87. Statutory Authority: RCW 18.39.175 (4) and (6) and 18.39.176, 85-19-013 (Order PL 550), § 308-48-590, filed 9/6/85. Statutory Authority: 1984 c 279 § 53(b), 85-01-077 (Order PL 504), § 308-48-590, filed 12/19/84.]

WAC 308-48-600 Procedure for obtaining board approval of continuing education activity. (1) An application for approval of continuing education activity must be submitted to the board before the activity is scheduled to commence. The board will notify the applicant of approval or disapproval of the continuing education activity and the number of credit hours approved.

(2) The board may require examples of teaching materials and descriptive information about any continuing education activity and refuse approval of any continuing education activity that does not meet the qualifications.

(3) The board may monitor any approved activity and, upon a subsequent significant variation in the program, may disapprove any part of the credit hours.

[Statutory Authority: RCW 18.39.175(4), 02-19-019, § 308-48-600, filed 9/9/02, effective 10/10/02; 91-20-071, § 308-48-600, filed 9/26/91, effective 10/27/91. Statutory Authority: 1984 c 279 § 53(b), 85-01-077 (Order PL 504), § 308-48-600, filed 12/19/84.]

WAC 308-48-780 Crematories—Inspections. Crematories regulated under the authority of chapter 18.39 RCW are subject to inspection at least once each year by the inspector of funeral directors and embalmers to ensure compliance with Washington state laws and regulations related to health or the handling or disposal of human remains.

[Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6, 85-21-066 (Order PL 561), § 308-48-780, filed 10/17/85.]

WAC 308-48-800 Funeral director/embalmer fees. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Embalmer:	
State examination or reexamination	\$100.00
Renewal	70.00
Late renewal penalty	35.00

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Title of Fee	Fee
Duplicate	15.00
Certification	25.00
Embalmer intern:	
Intern application	75.00
Intern renewal	45.00
Duplicate	15.00
Certification	25.00
Funeral director:	
State examination or reexamination	100.00
Renewal	70.00
Late renewal penalty	35.00
Duplicate	15.00
Certification	25.00
Funeral director intern:	
Intern application	75.00
Intern renewal	45.00
Duplicate	15.00
Certification	25.00
Funeral establishment:	
Original application	300.00
Renewal	150.00
Branch registration	250.00
Branch renewal	150.00
Preneed application	140.00
Preneed renewal:	
0-25 sales	25.00
26-99 sales	75.00
100 or more sales	125.00
Crematory endorsement registration	140.00
Crematory endorsement renewal	
\$3.20 per cremation performed during previous calendar year.	
Academic intern	No fee
Certificate of removal registration:	
Application	30.00
Renewal	15.00

[Statutory Authority: RCW 18.39.181 and chapter 34.05 RCW. 05-20-076, § 308-48-800, filed 10/4/05, effective 11/4/05. Statutory Authority: RCW 18.39.050, 03-11-021, § 308-48-800, filed 5/12/03, effective 6/30/03. Statutory Authority: RCW 18.39.181, 99-16-040, § 308-48-800, filed 7/29/99, effective 8/29/99. Statutory Authority: RCW 18.39.175(4), 98-21-056, § 308-48-800, filed 10/19/98, effective 11/19/98; 91-11-023, § 308-48-800, filed 5/7/91, effective 6/7/91; 91-01-006, § 308-48-800, filed 12/6/90, effective 1/6/91. Statutory Authority: RCW 43.24.086, 90-07-024, § 308-48-800, filed 3/14/90, effective 4/14/90; 87-10-028 (Order PM 650), § 308-48-800, filed 5/1/87.]

WAC 308-48-810 Brief adjudicative proceedings—When they can be used. (1) The board adopts RCW 34.05-.482 through 34.05.494 for the administration of brief adjudicative proceedings conducted at the discretion of the board. Brief adjudicative proceedings can be used in place of formal adjudicative hearings whenever the board issues a statement of charges, notice of intent to issue a cease and desist order, or temporary cease and desist order alleging that an applicant or licensee's conduct, act(s), or condition(s) constitute unlicensed practice or unprofessional conduct as that term is defined under chapter 18.235 RCW, the Uniform Regulation of Business and Professions Act. Brief adjudicative proceedings can also be used whenever the statement of charges, notice of intent to issue a cease and desist order, or temporary

cease and desist order alleges violations of any statute or rule that specifically governs disciplinary actions within a profession for which the applicant seeks a license or from which the licensee holds a license.

(2) Brief adjudicative proceedings may be used to determine the following issues, including, but not limited to:

(a) Whether an applicant has satisfied terms for reinstatement of a license after a period of license restriction, suspension, or revocation;

(b) Whether an applicant is eligible to sit for a professional licensing examination;

(c) Whether an applicant or licensee has satisfied financial security requirements by providing adequate proof of surety bonds or other proof of financial security, as required by law;

(d) Whether a sanction proposed by the board is appropriate based on the stipulated facts;

(e) Whether an applicant meets minimum requirements for an initial or renewal application;

(f) Whether an applicant has failed the professional licensing examination;

(g) Whether a licensee has sufficient continuing education credits when the licensee submits a renewal application;

(h) Whether an applicant or licensee failed to cooperate in an investigation by the department;

(i) Whether an applicant or licensee was convicted of a crime that should disqualify the applicant or licensee from holding the specific license sought or held;

(j) Whether an applicant or licensee has defaulted on educational loans;

(k) Whether an applicant or licensee has violated the terms of a final order issued by the director or director's designee;

(l) Whether a licensee has committed recordkeeping violations;

(m) Whether a licensee has committed trust account violations;

(n) Whether an applicant or licensee has engaged in false, deceptive, or misleading advertising;

(o) Whether a person has engaged in unlicensed practice; or

(p) Whether an education course or curriculum meets the criteria for approval when approval by the board is required or authorized by statute or rule.

(3) In addition to the situations enumerated in subsection (2) of this section, the board may conduct brief adjudicative proceedings instead of formal adjudicative hearings whenever the parties have stipulated to the facts and the only issues presented are issues of law, or whenever issues of fact exist but witness testimony is unnecessary to prove or disprove the relevant facts.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. 05-23-150, § 308-48-810, filed 11/22/05, effective 12/23/05. Statutory Authority: RCW 18.39.175(4), 97-21-063, § 308-48-810, filed 10/14/97, effective 11/14/97.]

WAC 308-48-815 Objections to brief adjudicative proceedings and conversion to formal adjudicative hearings. (1) At least five days before the scheduled brief adjudicative proceeding, any party, including the board, may file a written objection to resolution of a matter by a brief adjudicative proceeding and may request that a matter be converted to

a formal adjudicative hearing. Upon receiving a timely written objection, the presiding officer shall determine whether the matter should be converted. Regardless of whether any party files a timely objection, the presiding officer may convert any brief adjudicative proceeding to a formal adjudicative hearing whenever it appears that a brief adjudicative proceeding is insufficient to determine the issues pending before the board.

(2) In determining whether to convert a proceeding, the presiding officer may consider the following factors:

(a) Whether witness testimony will aid the presiding officer in resolving contested issues of fact;

(b) Whether the legal or factual issues are sufficiently complex to warrant a formal adjudicative proceeding, including whether there are multiple issues of fact or law;

(c) Whether a brief adjudicative proceeding will establish an adequate record for further agency or judicial review;

(d) Whether the legal issues involved in the proceeding present questions of legal significance or are being raised for the first time before the agency;

(e) Whether conversion of the proceeding will cause unnecessary delay in resolving the issues; and

(f) Any other factors that the presiding officer deems relevant in reaching a determination.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. 05-23-150, § 308-48-815, filed 11/22/05, effective 12/23/05.]

Chapter 308-49 WAC

PREARRANGEMENT FUNERAL SERVICES

WAC

308-49-100	Purpose.
308-49-120	Effective date and scope.
308-49-130	Definitions.
308-49-140	Registration of establishments.
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308-49-170	Annual statement requirements.
308-49-200	Telephone solicitation.
308-49-210	Examination expense from change of ownership or control.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-49-160	Requirements as to trust funds. [Statutory Authority: 1982 c 66 § 12. 83-04-021 (Order PL 420), § 308-49-160, filed 1/26/83.] Repealed by 90-17-148, filed 8/22/90, effective 9/22/90. Statutory Authority: RCW 18.39.175(4).
308-49-162	Trustee and master trust requirements. [Statutory Authority: RCW 18.39.175(4). 90-17-148, § 308-49-162, filed 8/22/90, effective 9/22/90.] Repealed by 97-21-064, filed 10/14/97, effective 11/14/97. Statutory Authority: RCW 18.39.175(4).
308-49-180	Renewal of certificate of registration. [Statutory Authority: 1982 c 66 § 12. 83-04-021 (Order PL 420), § 308-49-180, filed 1/26/83.] Repealed by 87-18-053 (Order PM 677), filed 9/1/87. Statutory Authority: RCW 18.39.290 and 18.39.320.

WAC 308-49-100 Purpose. The purpose of this chapter is to implement the provisions of RCW 18.39.240 through 18.39.345 and 18.39.360, by establishing rules for the registration of funeral establishments which enter into prearrangement funeral service contracts and to establish uniform mini-

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mum requirements for such contracts and prearrangement trust funds.

[Statutory Authority: RCW 18.39.175(4). 90-17-148, § 308-49-100, filed 8/22/90, effective 9/22/90. Statutory Authority: 1982 c 66 § 12. 83-04-021 (Order PL 420), § 308-49-100, filed 1/26/83.]

WAC 308-49-120 Effective date and scope. These regulations shall be effective on March 1, 1983, and shall be applicable to all prearrangement funeral service contracts entered into in this state on and after that date.

[Statutory Authority: 1982 c 66 § 12. 83-04-021 (Order PL 420), § 308-49-120, filed 1/26/83.]

WAC 308-49-130 Definitions. Unless the text in this chapter clearly states or requires otherwise, definitions shall be as set forth in RCW 18.39.010.

[Statutory Authority: RCW 18.39.175(4). 90-17-148, § 308-49-130, filed 8/22/90, effective 9/22/90. Statutory Authority: 1982 c 66 § 12. 83-04-021 (Order PL 420), § 308-49-130, filed 1/26/83.]

WAC 308-49-140 Registration of establishments. (1) Each funeral establishment entering into prearrangement funeral service contracts in which one or more of the following conditions exist must be registered with the board before entering into such contracts:

(a) The sales price of the contract, using either trust or insurance as a method of funding, guarantees a final price for merchandise and services. The guarantee assures the purchaser that there will be no additional charges for the merchandise and services disclosed within the agreement.

(b) The sales price of the contract using a trust as a method of funding plus accruals will be applied toward the cost of merchandise and services at the time of need. Should the cost of merchandise and services selected at the time of need exceed the sales price of the contract plus accruals, the purchaser will pay the difference. Should the cost of merchandise and services selected at the time of need be less than the sales price of the contract plus accruals, the purchaser will receive a refund for the difference.

(c) Insurance is used as a method of funding guaranteeing a final price for merchandise and services. Such guarantee assures the purchaser that there will be no additional charges for merchandise and services disclosed in the agreement.

(2) Before entering into any prearrangement funeral service contracts in this state, a funeral establishment shall first obtain a certificate of registration from the board. To apply for registration, a funeral establishment must file an application on forms approved by the board of funeral directors and embalmers, which includes:

(a) The name, address, and telephone number of the funeral establishment;

(b) A statement of the establishment's current financial condition and an explanation of how the establishment plans to offer, market and service prearrangement contracts including:

(i) The type of business organization which operates the funeral establishment, e.g., sole proprietorship, partnership, or corporation and a list of all officers, directors, partners and managers by name and title, and any person owning more than ten percent of the business;

(ii) A balance sheet and a profit and loss statement for the most recently concluded fiscal year and/or other such fiscal documents as the board may require;

(c) The prearrangement funeral service contract forms the establishment proposes to use need not be in final printed form when submitted; however, a copy of the final printed form shall be filed with the board before the form is used;

(d) Identification of the trustee(s) of the prearrangement funeral service trust, including address and telephone number.

(e) A copy of the prearrangement funeral service trust agreement and the prearrangement funeral service trust depository agreement.

(3) Upon review of the application, the board may require additional information or explanation prior to registration or refusing to register the funeral establishment.

(4) The application shall be accompanied by a check payable to the state treasurer in the amount required by the director for issuance of the certificate of registration.

[Statutory Authority: RCW 18.39.175(4). 90-17-148, § 308-49-140, filed 8/22/90, effective 9/22/90. Statutory Authority: RCW 18.35.175(4). 88-13-010 (Order PM 737), § 308-49-140, filed 6/6/88. Statutory Authority: RCW 18.39.290 and 18.39.320. 87-18-053 (Order PM 677), § 308-49-140, filed 9/1/87. Statutory Authority: 1982 c 66 § 12. 83-04-021 (Order PL 420), § 308-49-140, filed 1/26/83.]

WAC 308-49-150 Prearrangement funeral service contract form requirements. (1) The terms of prearrangement funeral service contracts are of substantial importance to both consumers and the establishment.

Contracts must be written in language that can be easily understood by all parties and printed or typed in easily readable type size and style.

(2) Every prearrangement funeral service contract must include the following information:

(a) The name of the purchaser and the beneficiary of the contract;

(b) A description of the services and merchandise to be provided, if specific merchandise and services are to be furnished, and a statement clearly setting forth whether the purchase price fully pays for such services and merchandise or if the purchase price is to be applied toward the cost of such services and merchandise when they are provided;

(c) The total purchase price to be paid under the contract and the manner and terms which will govern payment;

(d) That all funds placed in trust plus net accruals are subject to refund.

(3) Such contract shall be dated and be executed by the purchaser and by the funeral establishment through its owner, officer or managing agent.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-49-150, filed 9/9/02, effective 10/10/02; 90-17-148, § 308-49-150, filed 8/22/90, effective 9/22/90. Statutory Authority: 1982 c 66 § 12. 83-04-021 (Order PL 420), § 308-49-150, filed 1/26/83.]

WAC 308-49-164 Prearrangement funeral service trust agreement requirements. (1) Each establishment entering into prearrangement funeral service contracts which does not use insurance as a method of funding shall establish one or more prearrangement funeral service trust agreements.

(2) Such prearrangement funeral service trust agreements shall be between the funeral establishment and trustees

designated by the funeral establishment. The agreement shall include language that provides for:

(a) A minimum of two trustees;

(b) Duties and responsibilities of the trustees;

(c) Method of removal of trustees;

(d) Selection of depository(ies);

(e) Details as to investment and administration of the trust;

(f) Compensation of trustees and expenses to be incurred;

(g) Accounting methods to be used;

(h) Provisions for amendment and termination of the trust agreement.

(3) Such prearrangement funeral service trust agreements are an integral part of the prearrangement funeral service contract and shall be approved by the board prior to use. Amendments or changes to the trust agreement must receive prior approval from the board before incorporation of amendment or change.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-49-164, filed 9/9/02, effective 10/10/02; 97-21-064, § 308-49-164, filed 10/14/97, effective 11/14/97; 90-17-148, § 308-49-164, filed 8/22/90, effective 9/22/90.]

WAC 308-49-168 Trust fund depository agreement requirements. (1) Each prearrangement funeral trust shall enter into an agreement with one or more depositories in which the responsibilities of the depository are set forth. The agreement shall contain language which:

(a) Sets forth the terms and conditions under which deposits and withdrawals are made;

(b) States that instruments of deposit shall be an insured account in a qualified public depository or shall be invested in instruments issued or insured by an agency of the federal government, and states that the trust shall be held in a public depository, and sets forth the conditions for termination and transfer of the prearrangement trust fund depository agreement.

(2) Prearrangement trust fund depository agreements are an integral part of the prearrangement funeral service contract agreement and shall be approved by the board prior to use. Amendments to or changes in the agreement shall be filed with the board prior to incorporation. The board shall be advised prior to termination of any depository agreement.

[Statutory Authority: RCW 18.39.175(4). 90-17-148, § 308-49-168, filed 8/22/90, effective 9/22/90.]

WAC 308-49-170 Annual statement requirements. (1) Each funeral establishment must file with the board annually, ninety days after the end of its fiscal year, a statement of its financial condition, transactions and affairs for the preceding fiscal year.

(2) The statement shall include a balance sheet and a profit and loss statement for the preceding fiscal year and/or other such fiscal documents as the board may require.

(3) The funeral establishment shall list any changes in its officers, directors, managers or partners or any change in ownership greater than ten percent which have occurred in the preceding fiscal year.

(4) With respect to each prearrangement funeral service contract trust fund, the following information must be provided:

- (a) The name of the depository and the account number;
 - (b) The number of outstanding contracts at the beginning of the fiscal year;
 - (c) The total amount paid in by the holders of such contracts pertinent to the trust fund;
 - (d) The total amount deposited in the trust account;
 - (e) The number of new contracts issued during the fiscal year;
 - (f) The amount paid in on such new contracts and the amount deposited in the trust fund for such contracts;
 - (g) The number of individuals withdrawing from the contracts, the principal amount paid to them and the amount of interest, dividends, or accretions, separately stated, paid to them.
 - (h) The number of cases where prearrangement funeral merchandise and services covered by the contract have been furnished and delivered and the amount transferred out of the trust fund to the funeral establishment for such services and/or merchandise;
 - (i) The number of outstanding contracts as of the end of the fiscal year and the amount being held in trust for such contracts.
- (5) The annual report form must include verification from the depository as to the amount of money held in funeral prearrangement trust as of the reporting date.
- (6) The annual statement must be accompanied by a fee as determined by the director, payable to the state treasurer.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-49-170, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.35.175(4). 88-13-010 (Order PM 737), § 308-49-170, filed 6/6/88. Statutory Authority: RCW 18.39.290 and 18.39.320. 87-18-053 (Order PM 677), § 308-49-170, filed 9/1/87. Statutory Authority: 1982 c 66 § 12. 83-04-021 (Order PL 420), § 308-49-170, filed 1/26/83.]

WAC 308-49-200 Telephone solicitation. (1) The use of telephones for solicitation of prearrangements is prevalent. This form of communication offers unique benefits, but entails special risks and poses potential for abuse. The board finds that any impropriety in telephone solicitation is a matter vitally affecting the public interest. For the general welfare of the public and in order to protect the integrity of the funeral industry, the use of telephones in solicitation of prearrangements must be defined by the board.

(2) Definitions:

- (a) "Telephone solicitor" means any person who engages in telephone solicitation on behalf of a holder of an establishment license.
- (b) "Telephone solicitation" means an unsolicited telephone call to a person and conversation for the purpose of inducing the person to make funeral prearrangements made without previous invitation, expressed or implied, by the person called.

(3) Time limits:

- (a) No licensee may knowingly cause a telephone solicitation to be made to any person more often than once in every six months.

- (b) A telephone solicitor shall not place calls which will be received before 8:00 a.m. or after 9:00 p.m.

- (4) Unfair/deceptive practices. A telephone solicitor may not engage in any conduct the natural consequence of

which is to harass, intimidate, or torment any person in connection with the telephone call.

- (5) Identification. Within the first thirty seconds of the telephone call, a telephone solicitor or salesperson shall:

- (a) Identify himself or herself, the company on whose behalf the solicitation is being made, the property, goods, or services being represented; and

- (b) Terminate the telephone call within ten seconds if the purchaser indicates he or she does not wish to continue the conversation.

- (6) Termination of contact. If at any time during the telephone contact, the purchaser states or indicates that he or she does not wish to be called again by the telephone solicitor or wants to have his or her name and individual telephone number removed from the telephone lists used by the telephone solicitor, the telephone solicitor shall not make any additional telephone solicitation of the called party at that telephone number within a period of at least one year.

- (7) Enforcement. In the event that the board discerns a pattern of violation of these standards the board may act against the registrant's prearrangement registration as provided by chapter 18.39 RCW.

[Statutory Authority: RCW 18.39.175(4). 90-17-148, § 308-49-200, filed 8/22/90, effective 9/22/90.]

WAC 308-49-210 Examination expense from change of ownership or control. Examination expenses for a funeral prearrangement trust fund examination performed in conjunction with a transfer of ownership or control of a funeral establishment will be paid by the selling entity.

[Statutory Authority: RCW 18.39.175(4). 02-19-019, § 308-49-210, filed 9/9/02, effective 10/10/02.]

Chapter 308-56A WAC

CERTIFICATES OF TITLE—MOTOR VEHICLES, ETC.

WAC

308-56A-010	Title purpose only and no title issued.
308-56A-020	Application for certificate of ownership required.
308-56A-021	Assessment criteria for penalty fee.
308-56A-024	Stolen vehicle check required for certificate of ownership.
308-56A-030	Owner name and address—Recorded on the vehicle record—Registration—Application for certificate of ownership.
308-56A-040	Name and address—Change of address.
308-56A-056	Names separated by the words "and," "or," or the slash symbol "/".
308-56A-060	Ownership in joint tenancy.
308-56A-065	Vehicles held in trust.
308-56A-070	Leased vehicles.
308-56A-075	Multiple legal owners.
308-56A-090	Disclosure of individual vehicle owner information.
308-56A-110	New vehicles—Manufacturer's statement/certificate of origin.
308-56A-115	Vehicles from a state or country other than Washington.
308-56A-140	Department temporary permit.
308-56A-150	Certificate of vehicle inspection.
308-56A-160	Model year—How determined.
308-56A-200	Replacement Washington certificate of ownership.
308-56A-210	Ownership in doubt.
308-56A-215	Erasures, alterations, and incorrect information.
308-56A-250	Signature of registered owner on application—Exceptions.
308-56A-265	Releasing interest.
308-56A-270	Forms of signature.
308-56A-275	Certification of signature.
308-56A-295	Vehicle sold—Reported stolen—Liability if abandoned.

308-56A-300	Application for certificate of ownership for abandoned vehicles.	308-56A-095	Commercial parking companies. [Statutory Authority: RCW 46.01.110 and 1997 c 33, 97-19-015, § 308-56A-095, filed 9/5/97, effective 10/6/97.] Repealed by 02-01-123, filed 12/19/01, effective 1/19/02. Statutory Authority: RCW 46.01.110, 46.12.101, 88.02.070.
308-56A-305	Law enforcement sale.		
308-56A-310	Personal property lien—Chattel.		
308-56A-311	Personal property lien—Landlord's lien for rent.	308-56A-100	Declaration of use tax form. [Order MV 208, § 308-56A-100, filed 7/31/74.] Repealed by 99-01-014, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 46.01.110.
308-56A-312	Personal property lien—Self-service storage facilities.		
308-56A-315	Name change.		
308-56A-320	Transfer by court order.		
308-56A-325	Owner incompetent.	308-56A-105	Previously titled vehicles. [Order MV 208, § 308-56A-105, filed 7/31/74.] Repealed by 99-01-014, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 46.01.110.
308-56A-330	Owner bankrupt.		
308-56A-335	Owner deceased.		
308-56A-405	Acquired from United States government.	308-56A-120	Vehicle not on excise tax schedule. [Order MV 208, § 308-56A-120, filed 7/31/74.] Repealed by 91-15-006, filed 7/8/91, effective 8/8/91. Statutory Authority: RCW 46.01.110 and 46.16.335.
308-56A-410	No application required.		
308-56A-415	Application in dealers name.	308-56A-125	Foreign title or registration. [Statutory Authority: RCW 46.01.110, 93-14-084, § 308-56A-125, filed 6/30/93, effective 7/31/93; 88-20-035 (Order TL/RG 44), § 308-56A-125, filed 9/30/88; Order MV 208, § 308-56A-125, filed 7/31/74.] Repealed by 99-01-014, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 46.01.110.
308-56A-420	Delivery of vehicle on dealer temporary permit.		
308-56A-450	Glider kits.	308-56A-130	Acquired from United States government. [Order MV 208, § 308-56A-130, filed 7/31/74.] Repealed by 99-01-014, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 46.01.110.
308-56A-455	Assembled and homemade vehicles.		
308-56A-460	Destroyed or wrecked vehicle—Reporting—Rebuilt.	308-56A-135	Registered by foreign military command. [Order MV 208, § 308-56A-135, filed 7/31/74.] Repealed by 99-01-014, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 46.01.110.
308-56A-500	Definitions.		
308-56A-505	Elimination of manufactured home certificate of ownership (title)—Eligibility.	308-56A-145	Special mailing. [Order MV 208, § 308-56A-145, filed 7/31/74.] Repealed by 99-12-031, filed 5/25/99, effective 6/25/99. Statutory Authority: RCW 46.01.110, 46.12.040 and 46.16.216.
308-56A-525	Vehicle seller's report of sale.		
308-56A-530	Vehicles brands and comments.	308-56A-205	Release of interest. [Order MV 208, § 308-56A-205, filed 7/31/74.] Repealed by 99-12-031, filed 5/25/99, effective 6/25/99. Statutory Authority: RCW 46.01.110, 46.12.040 and 46.16.216.
308-56A-640	Odometer disclosure statement.		
		308-56A-255	Signature of registered owner—Supplemental form. [Order MV 208, § 308-56A-255, filed 7/31/74.] Repealed by 99-08-065, filed 4/5/99, effective 5/6/99. Statutory Authority: RCW 46.01.110.
DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER		308-56A-260	Signature of legal owner on application. [Order MV 208, § 308-56A-260, filed 7/31/74.] Repealed by 92-15-024, filed 7/6/92, effective 8/6/92. Statutory Authority: RCW 46.01.110.
308-56A-005	Title required. [Order MV 208, § 308-56A-005, filed 7/31/74.] Repealed by 98-12-099, filed 6/3/98, effective 7/4/98. Statutory Authority: RCW 46.01.110 and 46.12.101.	308-56A-280	Certification of signature—Departmental employees. [Order MV 208, § 308-56A-280, filed 7/31/74.] Repealed by 99-08-065, filed 4/5/99, effective 5/6/99. Statutory Authority: RCW 46.01.110.
308-56A-015	No title issued. [Statutory Authority: RCW 46.01.110 and 46.12.101, 98-12-099, § 308-56A-015, filed 6/3/98, effective 7/4/98; Order MV 208, § 308-56A-015, filed 7/31/74.] Repealed by 00-20-065, filed 10/3/00, effective 11/3/00. Statutory Authority: RCW 46.01.110 and 46.12.101.	308-56A-285	Certification of signature—Vehicle dealer. [Statutory Authority: RCW 46.01.110, 88-20-035 (Order TL/RG 44), § 308-56A-285, filed 9/30/88; Order MV 208, § 308-56A-285, filed 7/31/74.] Repealed by 99-08-065, filed 4/5/99, effective 5/6/99. Statutory Authority: RCW 46.01.110.
308-56A-022	Conditions under which penalty fees are not assessed. [Statutory Authority: RCW 46.01.110 and 46.12.101, 98-12-099, § 308-56A-022, filed 6/3/98, effective 7/4/98. Statutory Authority: RCW 46.01.110 and 46.12.101 as amended by 1987 c 127 § 1, 87-21-012 (Order TL/RG/36), § 308-56A-022, filed 10/9/87.] Repealed by 00-20-065, filed 10/3/00, effective 11/3/00. Statutory Authority: RCW 46.01.110 and 46.12.101.	308-56A-340	Owner deceased—Will left. [Order MV 208, § 308-56A-340, filed 7/31/74.] Repealed by 99-06-037, filed 2/26/99, effective 3/29/99. Statutory Authority: RCW 46.01.110.
308-56A-023	Conditions under which penalty fees may be waived. [Statutory Authority: RCW 46.01.110 and 46.12.101, 98-12-099, § 308-56A-023, filed 6/3/98, effective 7/4/98. Statutory Authority: RCW 46.01.110 and 46.12.101 as amended by 1987 c 127 § 1, 87-21-012 (Order TL/RG/36), § 308-56A-023, filed 10/9/87.] Repealed by 00-20-065, filed 10/3/00, effective 11/3/00. Statutory Authority: RCW 46.01.110 and 46.12.101.	308-56A-345	Owner deceased—No will left. [Order MV 208, § 308-56A-345, filed 7/31/74.] Repealed by 99-06-037, filed 2/26/99, effective 3/29/99. Statutory Authority: RCW 46.01.110.
308-56A-025	General procedure for application. [Order MV 208, § 308-56A-025, filed 7/31/74.] Repealed by 99-01-014, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 46.01.110.	308-56A-350	Owner deceased—To spouse "in lieu of homestead." [Order MV 208, § 308-56A-350, filed 7/31/74.] Repealed by 99-06-037, filed 2/26/99, effective 3/29/99. Statutory Authority: RCW 46.01.110.
308-56A-035	Form required for name and address—One name on application. [Order MV 208, § 308-56A-035, filed 7/31/74.] Repealed by 99-01-014, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 46.01.110.	308-56A-355	Owner deceased—In name of estate. [Statutory Authority: RCW 46.01.110, 99-06-037, § 308-56A-355, filed 2/26/99, effective 3/29/99; Order MV 208, § 308-56A-355, filed 7/31/74.] Repealed by 01-03-002, filed 1/4/01, effective 2/4/01. Statutory Authority: RCW 46.01.110.
308-56A-045	Form required for name and address—Address, nonresident. [Order MV 208, § 308-56A-045, filed 7/31/74.] Repealed by 99-01-014, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 46.01.110.	308-56A-360	Owner deceased—Estate not administered. [Order MV 208, § 308-56A-360, filed 7/31/74.] Repealed by 99-06-037, filed 2/26/99, effective 3/29/99. Statutory Authority: RCW 46.01.110.
308-56A-050	Form required for name and address—Last registered owner shown on application. [Order MV 208, § 308-56A-050, filed 7/31/74.] Repealed by 99-01-014, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 46.01.110.	308-56A-365	Owner deceased—Community property agreement. [Order MV 208, § 308-56A-365, filed 7/31/74.] Repealed by 99-06-037, filed 2/26/99, effective 3/29/99. Statutory Authority: RCW 46.01.110.
308-56A-055	Form required for name and address—Owners in common. [Order MV 208, § 308-56A-055, filed 7/31/74.] Repealed by 99-01-014, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 46.01.110.		
308-56A-080	Refusal by department to release title. [Order MV 208, § 308-56A-080, filed 7/31/74.] Repealed by 98-12-099, filed 6/3/98, effective 7/4/98. Statutory Authority: RCW 46.01.110 and 46.12.101.		
308-56A-085	Error in title issued by department. [Order MV 208, § 308-56A-085, filed 7/31/74.] Repealed by 98-12-099, filed 6/3/98, effective 7/4/98. Statutory Authority: RCW 46.01.110 and 46.12.101.		

308-56A-400 Dealer to dealer transfer. [Order MV 208, § 308-56A-400, filed 7/31/74.] Repealed by 98-01-020, filed 12/8/97, effective 1/8/98. Statutory Authority: RCW 34.05.354.

308-56A-465 Fleets. [Statutory Authority: RCW 46.01.110. 92-15-024, § 308-56A-465, filed 7/6/92, effective 8/6/92; 88-23-037 (Order TL/RG 46), § 308-56A-465, filed 11/9/88; Order MV 208, § 308-56A-465, filed 7/31/74.] Repealed by 00-04-046, filed 1/27/00, effective 2/27/00. Statutory Authority: RCW 46.01.110.

308-56A-470 Issuance of certificates—Contents. [Statutory Authority: RCW 46.01.110. 97-07-014, § 308-56A-470, filed 3/11/97, effective 4/11/97. Statutory Authority: RCW 46.01.110, 46.12.151 and 46.12.050. 92-03-077, § 308-56A-470, filed 1/14/92, effective 2/14/92.] Repealed by 00-04-046, filed 1/27/00, effective 2/27/00. Statutory Authority: RCW 46.01.110.

308-56A-510 Elimination of manufactured home title—Application. [Statutory Authority: RCW 65.20.110. 90-11-091, § 308-56A-510, filed 5/18/90, effective 6/18/90.] Repealed by 00-06-004, filed 2/18/00, effective 3/20/00. Statutory Authority: RCW 65.20.110.

308-56A-515 Elimination of manufactured home title—When perfected. [Statutory Authority: RCW 65.20.110. 90-11-091, § 308-56A-515, filed 5/18/90, effective 6/18/90.] Repealed by 00-06-004, filed 2/18/00, effective 3/20/00. Statutory Authority: RCW 65.20.110.

308-56A-520 Elimination of manufactured home title—Fees. [Statutory Authority: RCW 65.20.110. 90-11-091, § 308-56A-520, filed 5/18/90, effective 6/18/90.] Repealed by 00-06-004, filed 2/18/00, effective 3/20/00. Statutory Authority: RCW 65.20.110.

308-56A-610 Odometer disclosure statement—General procedures/requirements. [Statutory Authority: RCW 46.01.110 and 46.12.124. 97-14-034, § 308-56A-610, filed 6/25/97, effective 7/26/97. Statutory Authority: RCW 46.12.030 and 46.01.110. 89-16-074 (Order TL/RG 49), § 308-56A-610, filed 7/31/89, effective 8/31/89.] Repealed by 00-06-020, filed 2/23/00, effective 3/25/00. Statutory Authority: RCW 46.01.110 and 46.12.030.

308-56A-620 Odometer disclosure—Definitions. [Statutory Authority: RCW 46.01.110 and 46.12.030. 00-06-020, § 308-56A-620, filed 2/23/00, effective 3/25/00. Statutory Authority: RCW 46.01.110 and 46.12.124. 97-14-034, § 308-56A-620, filed 6/25/97, effective 7/26/97. Statutory Authority: RCW 46.12.030 and 46.01.110. 89-16-074 (Order TL/RG 49), § 308-56A-620, filed 7/31/89, effective 8/31/89.] Repealed by 00-13-083, filed 6/20/00, effective 7/21/00. Statutory Authority: RCW 65.20.110.

308-56A-630 Odometer disclosure statement—Exemptions. [Statutory Authority: RCW 46.12.030 and 46.01.110. 89-16-074 (Order TL/RG 49), § 308-56A-630, filed 7/31/89, effective 8/31/89.] Repealed by 97-14-034, filed 6/25/97, effective 7/26/97. Statutory Authority: RCW 46.01.110 and 46.12.124.

308-56A-650 Odometer disclosure statement—Leased vehicles. [Statutory Authority: RCW 46.01.110 and 46.12.124. 97-14-034, § 308-56A-650, filed 6/25/97, effective 7/26/97. Statutory Authority: RCW 46.12.030 and 46.01.110. 89-16-074 (Order TL/RG 49), § 308-56A-650, filed 7/31/89, effective 8/31/89.] Repealed by 00-06-020, filed 2/23/00, effective 3/25/00. Statutory Authority: RCW 46.01.110 and 46.12.030.

308-56A-660 Odometer disclosure statement—Involuntary divestiture. [Statutory Authority: RCW 46.01.110 and 46.12.124. 97-14-034, § 308-56A-660, filed 6/25/97, effective 7/26/97. Statutory Authority: RCW 46.12.030 and 46.01.110. 89-16-074 (Order TL/RG 49), § 308-56A-660, filed 7/31/89, effective 8/31/89.] Repealed by 00-06-020, filed 2/23/00, effective 3/25/00. Statutory Authority: RCW 46.01.110 and 46.12.030.

308-56A-670 Odometer disclosure statement—Dealer auction companies. [Statutory Authority: RCW 46.01.110 and 46.12.124. 97-14-034, § 308-56A-670, filed 6/25/97, effective 7/26/97. Statutory Authority: RCW 46.12.030 and 46.01.110. 89-16-074 (Order TL/RG 49), § 308-56A-670, filed 7/31/89, effective 8/31/89.] Repealed by 00-06-020, filed 2/23/00, effective 3/25/00. Statutory Authority: RCW 46.01.110 and 46.12.030.

308-56A-680 Odometer disclosure statement—Out-of-state vehicles. [Statutory Authority: RCW 46.01.110 and 46.12.124. 97-14-034, § 308-56A-680, filed 6/25/97, effective 7/26/97. Statutory Authority: RCW 46.12.030 and

46.01.110. 89-16-074 (Order TL/RG 49), § 308-56A-680, filed 7/31/89, effective 8/31/89.] Repealed by 00-06-020, filed 2/23/00, effective 3/25/00. Statutory Authority: RCW 46.01.110 and 46.12.030.

308-56A-690 Odometer disclosure statement—Forms. [Statutory Authority: RCW 46.01.110 and 46.12.124. 97-14-034, § 308-56A-690, filed 6/25/97, effective 7/26/97. Statutory Authority: RCW 46.12.030 and 46.01.110. 89-16-074 (Order TL/RG 49), § 308-56A-690, filed 7/31/89, effective 8/31/89.] Repealed by 00-06-020, filed 2/23/00, effective 3/25/00. Statutory Authority: RCW 46.01.110 and 46.12.030.

WAC 308-56A-010 Title purpose only and no title issued. (1) May I obtain a certificate of ownership for my vehicle even if I do not want or need to register it? You may obtain a certificate of ownership for your vehicle without a certificate of registration for:

- (a) Vehicles defined in chapter 46.04 RCW and which are normally registered under chapter 46.16 RCW but will not be operated on the public highways;
- (b) Farm tractors or farm equipment as defined in RCW 46.04.180 and 46.04.181;
- (c) Off-road vehicles (ORV) as defined in RCW 46.09.020 whether or not required to obtain an ORV use permit;
- (d) Golf carts;
- (e) Dune buggies whether or not equipped for legal highway use;
- (f) Off highway equipment that may be moved upon public highways under authority of special permits.

(2) If I obtain a certificate of ownership for title purpose only (TPO), may I register my vehicle at a later date? A vehicle which qualifies for road use may be registered for use on the public highways in accordance with chapter 46.16 RCW.

(3) May I register my vehicle without obtaining a certificate of ownership? Your vehicle may be registered when certain conditions prevent a Washington certificate of ownership from being issued, such as:

- (a) A secured party will not surrender an out-of-state certificate of ownership; or
- (b) Registration is required in Washington state and certificate of ownership and registration are required by another state.
- (c) Ownership in doubt (registration only) under WAC 308-56A-210.
- (d) Registration of a snowmobile under chapter 46.09 RCW.
- (e) Dual use motorcycles (CYC) use class, may be titled and registered using one use class (CYC) and also can be registered as an off-road vehicle (ORV) or titling using (ORV) use class and registered under the CYC use class.

[Statutory Authority: RCW 46.01.110 and 46.12.101. 00-20-065, § 308-56A-010, filed 10/3/00, effective 11/3/00; 98-12-099, § 308-56A-010, filed 6/3/98, effective 7/4/98. Statutory Authority: RCW 46.01.110. 92-15-024, § 308-56A-010, filed 7/6/92, effective 8/6/92; Order MV 208, § 308-56A-010, filed 7/31/74.]

WAC 308-56A-020 Application for certificate of ownership required. When is an application for certificate of ownership required? In addition to the requirements set forth in chapter 46.12 and 46.16 RCW an application for certificate of ownership is required when:

(1) There is a change of vehicle ownership on a Washington certificate of ownership due to:

- (a) Sale;
- (b) Gift-donation;
- (c) Inheritance;
- (d) Trade;
- (e) Addition or deletion of a registered owner;
- (f) Proprietorship, partnership or individuals forming a corporation, whether or not the business name is changing;
- (g) Proprietorship, partnership or individuals purchasing a corporation which will no longer be operated as a corporation, whether or not the business name is changed;
- (h) Court order;
- (i) Transferring vehicle to or from a trust;
- (j) Repossession; or
- (k) Adding/removing a lease on a vehicle.

(2) Applying for registration of a vehicle which has most recently been titled and/or registered in another jurisdiction and only registration is being established in Washington. If the vehicle will remain titled in another jurisdiction, no Washington certificate of ownership will be issued.

(3) There is a name change of the registered owner, whether individual(s) or a business entity.

(4) Adding a lien holder.

(5) The vehicle is assembled, homemade, has had a glider kit installed or is a street rod.

(6) The motorcycle engine has been replaced.

(7) The vehicle identification number needs to be corrected.

(8) The vehicle has been reported as salvage or wrecked by an insurer, owner, or wrecker and new certificate of ownership is requested. Title procedures are in WAC 308-56A-460.

[Statutory Authority: RCW 46.01.110, 04-08-080, § 308-56A-020, filed 4/6/04, effective 5/7/04; 03-05-081, § 308-56A-020, filed 2/19/03, effective 3/22/03. Statutory Authority: RCW 46.01.110 and 46.12.101, 00-20-065, § 308-56A-020, filed 10/3/00, effective 11/3/00; 98-12-099, § 308-56A-020, filed 6/3/98, effective 7/4/98; Order MV 208, § 308-56A-020, filed 7/31/74.]

WAC 308-56A-021 Assessment criteria for penalty fee. (1) **What is the penalty fee?** When a used Washington registered vehicle is sold, the purchaser has fifteen days from the date of delivery of the vehicle to transfer the vehicle ownership into their name. If they wait until the 16th day or later from the date of delivery, a penalty fee may be assessed as described in RCW 46.16.101(6) unless the purchaser qualifies for exemption from penalty as set forth in subsection (2) of this section.

(2) **Are there exceptions to when a penalty fee may be assessed when applying for certificate of ownership on the 16th day from the date of sale or later as described in RCW 46.12.101(6)?** Yes, if:

- (a) The vehicle was delivered to the purchaser after the date of sale indicated on the supporting documents; or
- (b) There are conflicting dates on supporting documents; or
- (c) There is no date on the certificate of ownership or other supporting documents; or
- (d) The date on the certificate of ownership has been altered; or

(e) The purchaser is incarcerated or sequestered by a judiciary system; or

(f) The purchaser files a seller's report of sale thinking they have filed an application to transfer certificate of ownership; or

(g) The purchaser of a vehicle sells it before transferring ownership into their name and the new purchaser can prove they purchased the vehicle within fifteen days of making application; or

(h) The director, or their designee, determines other reasons are valid; or

(i) The delay in making application is due to the department requesting additional supporting documents; or

(j) Extended hospitalization or illness of the purchaser; or

(k) Failure of the legal owner to release his or her interest in the vehicle; or

(l) Failure due to an action of the department, auditor or subagent.

Note: When an exception to the penalty fee requirement is made, an affidavit attesting to the actual date of delivery and the reason or reasons for exception to the penalty is required.

(3) **When are penalty fees for late application for certificate of ownership not assessed?** Penalty fees are not assessed for late application for certificate of ownership under the following conditions:

(a) The vehicle is not motorized; or

(b) The vehicle is sold by a Washington dealer (dealer report of sale box on the application is completed); or

(c) A Washington record cannot be found; or

(d) Department of licensing records indicate the vehicle has been destroyed; or

(e) The vehicle is being titled as home made or assembled for the first time; or

(f) The vehicle is acquired as a result of:

(i) Inheritance or community property; or

(ii) Divorce settlement; or

(iii) Other legal action affecting ownership of the vehicle; or

(iv) Lease buyout; or

(g) The vehicle is a snowmobile; or

(h) The director, or designee, determines other reasons are valid.

[Statutory Authority: RCW 46.01.110, 46.12.101, 88.02.070, 03-11-069, § 308-56A-021, filed 5/20/03, effective 6/20/03. Statutory Authority: RCW 46.01.110, 88.02.070 and 88.02.100 [88.02.100]. 01-08-022, § 308-56A-021, filed 3/27/01, effective 4/27/01. Statutory Authority: RCW 46.01.110 and 46.12.101, 00-20-065, § 308-56A-021, filed 10/3/00, effective 11/3/00; 98-12-099, § 308-56A-021, filed 6/3/98, effective 7/4/98. Statutory Authority: RCW 46.01.110 and 46.12.101 as amended by 1987 c 127 § 1, 87-21-012 (Order TL/RG/36), § 308-56A-021, filed 10/9/87.]

WAC 308-56A-024 Stolen vehicle check required for certificate of ownership. (1) **Is a stolen vehicle check required whenever application is made for certificate of ownership?** Yes. A Washington Crime Information Center/National Crime Information Center (WACIC/NCIC) stolen vehicle search will be performed on all vehicle title transactions.

(2) **What is a WACIC/NCIC stolen vehicle search?** A WACIC/NCIC stolen vehicle search is defined to include any nationally recognized source of stolen vehicle data obtained

from the NCIC, including the National Insurance Crime Bureau (NICB).

(3) **Who is authorized to receive and process stolen vehicle search inquiries?** The department and vehicle licensing offices are authorized to receive and process stolen vehicle search information. In addition to WACIC/NCIC, stolen vehicle searches may also be processed through any nationally recognized source of stolen vehicle data obtained from the NCIC, including the National Insurance Crime Bureau (NICB).

(4) **What happens if the stolen vehicle search indicates the vehicle has been reported stolen?** If the information obtained indicates the vehicle has been reported and confirmed stolen, the law enforcement agency with jurisdiction in the geographic location of the attempted licensing transaction will immediately be notified. A title will not be issued until the matter is resolved. If the department checks with the reporting law enforcement agency or jurisdiction and the reporting agency indicates that the vehicle's stolen status has been resolved, a certificate of ownership will be issued if the department is satisfied that all other requirements have been met.

(5) **What happens if the stolen vehicle search indicates that the vehicle has not been reported stolen?** If the stolen vehicle check is negative, a certificate of ownership will be issued if the department is satisfied that all other requirements have been met.

[Statutory Authority: RCW 46.01.110. 04-24-022, § 308-56A-024, filed 11/23/04, effective 1/3/05.]

WAC 308-56A-030 Owner name and address—Recorded on the vehicle record—Registration—Application for certificate of ownership. (1) What registered owner and lien holder or secured party information is required on the vehicle record - registration - application for certificate of ownership (title)?

The vehicle record, registration and application for certificate of ownership (title) must include:

(a) The name of each registered owner (natural person or business) of the vehicle and, if the vehicle is subject to a lien or other security interest, the name of each secured party;

(b) The registered owner's primary residence street address (at the choice of the registered owner, a mailing address if different from the residence address can also be given); and

(c) The primary secured party's mailing address.

(2) Is there other information I am required to provide before I can obtain a certificate of ownership (title) or registration?

Yes. Before the department can issue a certificate of ownership (title) or registration, one of the following, in addition to the requirement listed in subsection (1) of this section, must be provided for each registered owner that is a natural person:

(a) Presentation of an unexpired Washington state driver's license; or

(b) Certification that he or she is:

(i) A Washington resident who is a natural person and does not operate a motor vehicle on public roads; or

(ii) Exempt from the requirement to obtain a Washington state driver's license under RCW 46.20.025.

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(3) What does primary residence mean for a registered owner who is a natural person or a business?

(a) In the case of a natural person, it means the person's true, fixed and permanent home in Washington. This does not include secondary or vacation homes where a vehicle is garaged or used. The department will presume that a registered owner's primary residence is the same as the address used in driver's license records or voter registration records.

(b) In the case of a business, it means the principal place in Washington from which the licensed trade or business of the registered owner is directed, managed, or conducted. Businesses with multiple Washington licensed business locations should use the licensed business location where the service vehicles owned and operated by the business are directed, managed, garaged, stored or maintained.

(4) Do the addresses for the application for certificate of ownership, vehicle record and registration need to conform to United States Postal Service (USPS) standards?

Yes. USPS address standards must be used on all vehicle records, registrations, and certificates of ownership.

(5) Are there exceptions to the requirement to provide a primary residence street address?

Yes. Exceptions will be made for:

(a) Persons who are exempt by law from paying motor vehicle excise tax or fees.

(b) Vehicles that are exempt by law from motor vehicle excise tax or fees.

(c) Natural persons who are homeless; defined as someone with no housing.

(d) Other exceptions may apply as determined appropriate by the director or his or her designee.

(6) Will the department renew a vehicle registration if the registered owner does not provide a primary residence street address?

No. The registered owner's primary residence street address is required for vehicle registration renewals unless an exception specified in this section is met.

(7) What will the department do if presented with documentation or other information to indicate there may be an error in the primary residence street address provided?

The department will flag the vehicle record and the registered owner will be required, prior to the time of next renewal, to:

(a) Show a residential utility bill, driver license or other documentation that verifies the primary residence street address; and

(b) Complete and sign a declaration under penalty of perjury on a form developed by the department.

(8) Can more than one address be shown on the vehicle record or application if there are multiple registered owners with different addresses?

No. The department can store the primary residence address and separate mailing address (if applicable) for only one of the registered owner(s).

(9) Can more than one address be shown on the vehicle record or application if there is more than one secured party?

No. Only one address for the primary secured party will be shown on the vehicle record.

(10) Is the applicant or registered owner required to certify the truth of the address information contained in the application for certificate of ownership or vehicle renewal?

No. The applicant or registered owner will only be required to complete and sign a declaration under penalty of perjury on a form developed by the department when the department has been presented with documentation or other information to indicate there may be an error in the address information provided and the vehicle record has been flagged.

(11) What is the penalty if the applicant or registered owner provides false address information?

A person providing false residency information is guilty of a gross misdemeanor punishable by a fine of five hundred twenty-nine dollars.

(12) Is my residence address subject to public disclosure?

Where both a mailing address and a residence address are recorded on the vehicle record and are different, only a mailing address will be disclosed. Both addresses will be disclosed in response to requests from courts, law enforcement agencies, or government entities with enforcement, investigative, or taxing authority and only for use in the normal course of conducting their business.

[Statutory Authority: RCW 46.16.010, 05-23-135, § 308-56A-030, filed 11/22/05, effective 1/3/06. Statutory Authority: RCW 46.01.110, 04-07-168, § 308-56A-030, filed 3/23/04, effective 4/23/04; 03-05-081, § 308-56A-030, filed 2/19/03, effective 3/22/03; 99-01-014, § 308-56A-030, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 46.01.110, 88.02.100, 46.10.040, 46.12.030, 46.16.040, 88.02.050 and 88.02.070, 96-04-004, § 308-56A-030, filed 1/25/96, effective 2/25/96; 95-13-058, § 308-56A-030, filed 6/19/95, effective 7/20/95; Order MV 208, § 308-56A-030, filed 7/31/74.]

WAC 308-56A-040 Name and address—Change of address. (1) If the registered owner's address changes, does the owner need to notify the department?

Yes.

(2) What information does the registered owner need to provide to the department if their address changes?

The owner must provide the department with:

(a) The registered owner's name (natural person or business) as it appears on the vehicle record(s);

(b) The license plate number or vehicle identification number (VIN) of each vehicle; and

(c) The new street address for the primary residence and at the choice of the registered owner, a separate mailing address if different from the primary residence address as defined in WAC 308-56A-030(2) with at least a five digit zip code and preferably a nine digit zip code.

(3) Are there exceptions to the requirement to provide a primary residence street address on the department's change of address form?

Yes. To be exempt from the requirement to provide the primary resident street address, the registered owner must meet one of the exceptions in WAC 308-56A-030(4) and complete and sign a form developed by the department indicating which exception they meet.

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(4) Does the address need to conform to United States Postal Service (USPS) standards?

Yes. USPS address standards must be used on all vehicle records, registrations, and certificates of ownership.

(5) Is the registered owner required to certify the truth of the information provided when using the department's change of address form?

No. The registered owner will only be required to complete and sign a declaration under penalty of perjury on a form developed by the department if the department has been presented with documentation or other information to indicate that there may be an error in the address information provided and the vehicle record has been flagged.

(6) What is the penalty if the applicant or registered owner provides false address information when changing an address?

A person providing false residency information is guilty of a gross misdemeanor punishable by a fine of five hundred twenty-nine dollars.

(7) Is my residence address subject to public disclosure?

Where both a mailing address and a residence address are recorded on the vehicle record and are different, only a mailing address will be disclosed. Both addresses will be disclosed in response to requests from courts, law enforcement agencies, or government entities with enforcement, investigative, or taxing authority and only for use in the normal course of conducting their business.

[Statutory Authority: RCW 46.16.010, 05-23-135, § 308-56A-040, filed 11/22/05, effective 1/3/06. Statutory Authority: RCW 46.01.110, 04-07-168, § 308-56A-040, filed 3/23/04, effective 4/23/04; 03-05-081, § 308-56A-040, filed 2/19/03, effective 3/22/03; 99-01-014, § 308-56A-040, filed 12/7/98, effective 1/7/99; 92-15-024, § 308-56A-040, filed 7/6/92, effective 8/6/92; Order MV 208, § 308-56A-040, filed 7/31/74.]

WAC 308-56A-056 Names separated by the words "and," "or," or the slash symbol "/." (1) Does the department use the words "and," "or," or the slash symbol "/" when recording multiple interests on a certificate of ownership? No, the department has not used these designations since 1974 when recording ownership interest. For certificates of ownership that have been issued using one of these designations:

(a) Any registered owners so shown are considered to have equal registered owner interest in the vehicle;

(b) Any lien holder so shown is considered to have equal security interest in the vehicle.

(2) Will the department use the words "and," "or," or the slash symbol "/" if another jurisdiction has recorded multiple interests on the foreign certificate of ownership using one of these designations? No, the department does not allow the use of these designations when recording ownership interest.

[Statutory Authority: RCW 46.01.110, 03-05-081, § 308-56A-056, filed 2/19/03, effective 3/22/03. Statutory Authority: RCW 46.01.110, 46.12.040 and 46.16.216, 99-21-098, § 308-56A-056, filed 10/20/99, effective 11/20/99.]

WAC 308-56A-060 Ownership in joint tenancy. (1) What does joint tenancy with rights of survivorship mean when noted on a certificate of ownership? If owners own a vehicle in joint tenancy with rights of survivorship and one

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of the named parties dies, ownership vests in the surviving joint owner(s). The department will issue a certificate of ownership in the name of the surviving joint owner(s) upon application supported by a copy of the death certificate.

(2) **How is joint tenancy with rights of survivorship shown on the application for certificate of ownership?** The application for certificate of ownership must show the name of every owner and include the phrase "Joint tenants with rights of survivorship" spelled out.

(3) **How is joint tenancy with rights of survivorship shown on the certificate of ownership?** The certificate of ownership will be printed showing the abbreviation "JTWROS" in the brands/comments section.

[Statutory Authority: RCW 46.01.110. 03-05-081, § 308-56A-060, filed 2/19/03, effective 3/22/03; 99-08-064, § 308-56A-060, filed 4/5/99, effective 5/6/99; Order MV 208, § 308-56A-060, filed 7/31/74.]

WAC 308-56A-065 Vehicles held in trust. (1) How is a trust shown on a certificate of ownership? A certificate of ownership may show the name of the trustee(s) or trust in one of the following manners:

(a) The trustee(s) name(s) only followed by the designation **trustee, i.e., John Doe, trustee;** or

(b) The **trustee(s) name(s)** followed by the designation trustee and the name of the trust, i.e., John Doe, trustee John Doe Family Trust; or

(c) The name of the trust only, i.e., John Doe Family Trust.

Note: If necessary, the name of the trust will be abbreviated to meet the department's system limitations.

(2) **If a vehicle is held in trust, who represents the trust for certificate of ownership transactions?** If the vehicle record shows or is to be shown as:

(a) The trustee(s) name(s) only, followed by the designation **trustee, i.e., John Doe, trustee,** all trustees shown or to be shown on the certificate of ownership must sign.

(b) The **trustee(s)** name(s) followed by the designation trustee and name of the trust, i.e., John Doe, trustee John Doe Family Trust, all trustees shown or to be shown on the certificate of ownership must sign.

(c) The name of the trust only, i.e., John Doe Family Trust, any trustee(s) designated in the trust document must sign.

(3) **What trust documents do I need to present to apply for a certificate of ownership in the name of the trust?** You will need to provide a copy of the signed trust documents, showing the name of the trust, trustee(s) and successor trustees.

Note: Massachusetts trusts described in chapter 23.90 RCW must provide verification that the trust was filed with the Washington secretary of state.

(4) **What is required when a trustee no longer acts on behalf of a trust?** If a trustee no longer acts on behalf of a trust, and the vehicle ownership currently shows:

(a) The trustee(s) name(s) only followed by the designation trustee, i.e., John Doe, trustee, application must be made for a new certificate of ownership; or

(b) The trustee(s) name(s) followed by the designation trustee and the name of the trust, i.e., John Doe, trustee John Doe Family Trust, application must be made for a new certificate of ownership; or

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(c) The name of the trust only, i.e., John Doe Family Trust, application for new certificate of ownership is not required.

In applying for a new certificate of ownership you will need to provide a copy of the signed trust documents, showing the name of the trust, trustee(s) and successor trustees.

Note: Massachusetts trusts described in chapter 23.90 RCW must provide verification that the trust was filed with the Washington secretary of state.

Note: New or successor trustees must provide documentation showing they are named as such in the trust.

(5) **What is required when a trust is terminated?** The owner of the vehicle must apply for a new certificate of ownership under chapter 46.12 RCW.

If trustee(s) are deceased and no successor trustee(s) is appointed, the process established in WAC 308-56A-335 - Owner deceased, applies.

[Statutory Authority: RCW 46.01.110. 03-10-097, § 308-56A-065, filed 5/7/03, effective 6/7/03. Statutory Authority: RCW 46.01.110, 88.02.070 and 88.02.100 [88.02.100]. 01-08-022, § 308-56A-065, filed 3/27/01, effective 4/27/01. Statutory Authority: RCW 46.01.110. 99-08-064, § 308-56A-065, filed 4/5/99, effective 5/6/99. Statutory Authority: RCW 46.01.110 and 46.12.030. 97-03-076, § 308-56A-065, filed 1/15/97, effective 2/15/97; Order MV 208, § 308-56A-065, filed 7/31/74.]

WAC 308-56A-070 Leased vehicles. (1) How are the lessee and lessor designated on Washington certificates of ownership?

(a) The certificate of ownership will show the name of the lessee as registered owner, followed by LSE. The name of the lessor will be shown as the secured party or legal owner, followed by LSR.

(b) If the vehicle is subject to a security agreement the certificate of ownership will show the lessor's name immediately below the lessee's name as a subsequent registered owner followed by LSR. The address shown will be the lessee's. The secured party's name and address will be shown as the legal owner.

(c) Dealers and persons engaged in the business of vehicle leasing may simply be shown as sole registered owner if a copy of the lease or rental agreement is attached to the application. This does not apply if the lease contains an option to purchase or if it is for more than one year.

(2) **How does a lien holder release interest on a leased vehicle?** To release a lien on a vehicle that is being leased the lien holder must follow procedures outlined in WAC 308-56A-265.

(3) **What if a sublessee is to be shown on the Washington certificate of ownership?**

(a) Sublessees will be shown on the certificate of ownership as first registered owner, followed by SUBLSE. Lessees, lessor, and secured parties will be shown successively as described in subsection (1) of this section.

(b) The address of the registered owner will be that of the sublessee.

(c) Any person to be shown on the certificate of ownership as a registered owner as described in subsections (1) and (3)(a) of this section must sign the application for certificate of ownership.

(4) **Do I need to surrender my out-of-state certificate of ownership to the department when I register my leased vehicle in Washington?** If the out-of-state certificate of ownership shows lessee and lessor designations as required

by Washington state law or rule, the certificate of ownership need not be surrendered. A certificate of registration will be issued, however, a Washington certificate of ownership will not. If the out-of-state certificate of ownership is not in name agreement or does not show lessee and lessor designations as required by Washington law or rule, the out-of-state certificate of ownership must be surrendered and a Washington certificate of ownership will be issued to the lessor/legal owner.

[Statutory Authority: RCW 46.01.110, 46.12.101, 03-12-071, § 308-56A-070, filed 6/3/03, effective 7/4/03. Statutory Authority: RCW 46.01.110, 99-08-064, § 308-56A-070, filed 4/5/99, effective 5/6/99. Statutory Authority: RCW 46.01.110 and 46.12.030, 97-03-076, § 308-56A-070, filed 1/15/97, effective 2/15/97; Order MV 208, § 308-56A-070, filed 7/31/74.]

WAC 308-56A-075 Multiple legal owners. (1) Can more than one legal owner show as security interest on the certificate of ownership? Yes, however, this is subject to the limited amount of space available in the department's computer system for legal owner's name information.

(2) How are additional legal owner's interest shown on the certificate of ownership? Additional legal owners are shown directly after the first legal owner. Only the address of the first legal owner will be shown on the certificate of ownership.

(3) If the security interest has been satisfied with one of the legal owners shown on a certificate of ownership, how is their interest released? When the security interest of one of the legal owners shown on a certificate of ownership has been satisfied that interest must be released on the certificate of ownership or a department approved release of interest form. The remaining legal owner(s) must, within ten days of receiving the properly released certificate of ownership, apply for reissuance of the certificate of ownership showing the remaining legal owner's name and address.

[Statutory Authority: RCW 46.01.110, 04-13-118, § 308-56A-075, filed 6/22/04, effective 7/23/04; 03-10-097, § 308-56A-075, filed 5/7/03, effective 6/7/03; 99-08-064, § 308-56A-075, filed 4/5/99, effective 5/6/99. Statutory Authority: RCW 46.01.110 and 46.12.030, 97-03-076, § 308-56A-075, filed 1/15/97, effective 2/15/97; Order MV 208, § 308-56A-075, filed 7/31/74.]

WAC 308-56A-090 Disclosure of individual vehicle owner information. (1) What vehicle record owner information is protected from disclosure? Vehicle information protected from disclosure is the same as under chapters 42.56 and 46.12 RCW which includes:

- (a) Name and address information;
- (b) Social Security numbers;
- (c) Medical or disability information; and
- (d) Telephone numbers.

(2) Who may receive disclosure of individual vehicle owner names and addresses?

(a) Government agencies that require use of name and address information in their normal course of business;

(b) Any business entity that requires use of name and address information in their normal course of business in accordance with these rules;

(c) Vehicle manufacturers who require vehicle owner information for recall of their product;

(d) Individuals that provide proof of personal identification:

- (i) For vehicles currently registered in their name; or

(ii) For vehicles they can provide a bill of sale or acceptable documents indicating that they purchased the vehicle.

(e) Please see subsection (3) of this section for additional restrictions.

Business and government entities requesting disclosure of individual vehicle owner names and addresses must enter into a disclosure agreement with the department.

(3) When both a mailing and residence address are recorded on the vehicle record, which address will be disclosed? Where both a mailing address and residence address are recorded on the vehicle record and are different, only the mailing address will be disclosed. Both addresses will be disclosed in response to requests from courts, law enforcement agencies, or government entities with enforcement, investigative, or taxing authority and only for use in the normal course of conducting their business.

(4) What documentation does the department require to disclose vehicle owner name(s) and address(es)? The department requires:

(a) A signed and notarized vehicle/vessel record disclosure request application form provided by the department and completed by the applicant indicating the specific purpose for which the information will be used; and

(b) A disclosure agreement with the department as required by RCW 46.12.380.

(c) Acceptable business entity verification; or

(d) A contract with the department.

(5) What is acceptable business verification? For purposes of this section acceptable business verification includes:

(a) If the requester is a licensed Washington business, a copy of its current master business license;

(b) If the requester is a business that is not required to be licensed in this state, its federal employer identification number/federal tax number (or Uniform Business Identifier) on official letterhead with a notarized signature of the owner or an authorized representative;

(c) If an attorney, a copy of the current bar card; or

(d) If a private investigator, a copy of the current private investigator's license.

(6) Does a business need to supply a new form and copy of the business license each time vehicle information is requested? Yes, each time a request is made for vehicle information a new form and copy of the business license is needed, unless a contract exists between the business and the department.

(7) If a business entity has entered into a contract or agreement with the department, is a separate request for each inquiry required? No. If a business entity has entered into a signed contract between the business and the department, a separate request for each inquiry is not required.

(8) Are businesses allowed individual owner information on vehicle records? Yes, if a business requires individual owner information to conduct its regular business and qualifies under RCW 46.12.380 and 18 U.S.C. 27.21 (commonly known as Driver Privacy Protection Act), it may receive individual vehicle owner information.

(9) Who may release the vehicle owner name and address information?

(a) The public disclosure unit of the vehicle services division of the department of licensing; or

(b) Agents and subagents, but only when disclosing information for purposes described in subsection (2)(d) of this section.

(10) When may the department disclose the individual name(s) and address(es) of vehicle owners? Notwithstanding the provisions of chapter 42.56 RCW, the department may disclose names and addresses of vehicle owners when:

(a) The requesting party is a business entity that requests the information for use in their normal course of business;

(b) The request is in writing, signed by the person requesting disclosure, contains the full legal name and address of the requesting party and/or their business, and specifies the purpose for which the information will be used; and

(c) The requesting party enters into a disclosure agreement with the department in which the party:

(i) Agrees they will use the information only for the purpose stated in the request for the information; and

(ii) Will not use, or facilitate the use of the information for the purpose of making any unsolicited business contact with a person named in the disclosed information.

(11) What does the term "unsolicited business contact" mean? The term "unsolicited business contact" means a contact that is intended to result in or promote the sale of any goods or services to a person named in the disclosure information. The term does not apply to situations where the requesting party and such person have been involved in a business transaction prior to the date of the disclosure request and where the request is made in connection with the transaction.

(12) Is the department required to notify the vehicle owner when ownership information is disclosed? When the department grants a request from an attorney or private investigator for information under this section, the department will provide notice to the vehicle owner that the request has been granted. The notice will provide the name and address of the requesting party. Additionally, if a contract holder releases owner information to a private investigator or attorney, they must notify the vehicle owner that a request has been granted, and include the name and address of the requesting party.

(13) How long will the department retain the request for disclosure of vehicle owner information? The department will retain the request for disclosure for three years.

(14) Who is responsible for assuring that the information is used appropriately? Any person, business, entity or association that receives vehicle owner information under this section is responsible for assuring that the information received is not used for a purpose contrary to the agreement between the person, business, entity or association and the department.

[Statutory Authority: RCW 46.01.110. 06-15-059, § 308-56A-090, filed 7/12/06, effective 8/12/06. Statutory Authority: RCW 46.16.010, 46.12.370, and 46.12.380. 05-18-002, § 308-56A-090, filed 8/25/05, effective 9/25/05. Statutory Authority: RCW 46.01.110, 46.12.101, 88.02.070. 02-01-123, § 308-56A-090, filed 12/19/01, effective 1/19/02. Statutory Authority: RCW 46.01.110 and 46.12.101. 00-20-065, § 308-56A-090, filed 10/3/00, effective 11/3/00; 98-12-099, § 308-56A-090, filed 6/3/98, effective 7/4/98. Statutory Authority: RCW 42.17.250(1), 46.01.110, 46.12.151 and 46.12.380. 96-03-047, § 308-56A-090, filed 1/11/96, effective 2/11/96. Statutory Authority: RCW 46.01.110 and 88.02.070. 91-03-088, § 308-56A-090, filed 1/18/91, effective 2/18/91.]

(2007 Ed.)

WAC 308-56A-110 New vehicles—Manufacturer's statement/certificate of origin. (1) **What ownership documentation from the manufacturer is required to title a new vehicle?**

An application for a certificate of ownership for a new vehicle must be accompanied by a manufacturer's statement/certificate of origin (MSO/MCO).

(2) What information needs to be shown on the MSO/MCO?

The MSO/MCO must contain at least the following information:

(a) First conveyance of the vehicle after its manufacture;

(b) The model year;

(c) Make;

(d) Model, body style;

(e) Vehicle identification number;

(f) An indication that the vehicle was not manufactured for road use, if applicable; and

(g) Shipping weight or curb weight.

(3) What documentation may be used in lieu of an MSO/MCO?

If the MSO/MCO is not available, the manufacturer's invoice to the dealer may be used. The manufacturer's invoice shall contain all the information required in subsection (2) of this section. If a flooring agent is shown on the invoice, the department requires a release of interest from the flooring agent.

(4) How is a dealer-to-dealer sale recorded on the MSO/MCO before the first retail sale?

A dealer-to-dealer sale is recorded in the assignment area on the MSO/MCO.

In the absence of an available assignment area a dealer to dealer report of sale or similar document may be used as long as a complete chain of ownership is documented from the original dealer named on the MSO/MCO through the retail selling dealer making the application.

[Statutory Authority: RCW 46.01.110. 03-05-081, § 308-56A-110, filed 2/19/03, effective 3/22/03; 99-01-014, § 308-56A-110, filed 12/7/98, effective 1/7/99; Order MV 208, § 308-56A-110, filed 7/31/74.]

WAC 308-56A-115 Vehicles from a state or country other than Washington. (1) **What ownership documents are required to title and license a vehicle not currently titled or licensed in the state of Washington?**

(a) If a vehicle is titled in another state, the application for certificate of ownership must be accompanied by the most current title issued by that state.

(b) If the vehicle was acquired from an agency of the United States government, the federal ownership document issued by the United States government must accompany the application for certificate of ownership. When a bill of sale covers more than one vehicle, a photocopy may be accepted when:

(i) United States federal government already registered and/or titled in Washington with an FED use class, the purchaser needs a bill of sale and the current registration for an NTI or when title is issued in Washington, need title properly released.

(ii) A secure odometer disclosure completed only by the transferee/buyer if the vehicle falls within the federal odometer criteria.

(c) If a vehicle is titled in another country, the application for certificate of ownership must be accompanied by the most current ownership document issued by that country. If the country from which the vehicle is imported cancels the vehicle title and/or registration for export, the application for certificate of ownership must be accompanied by documents showing proof of ownership and evidence of the cancellation.

(d) If a member of the United States armed forces owns the vehicle and the vehicle has been registered by a United States government military entity, the application for certificate of ownership must be accompanied by the registration certificate as proof of ownership. If there is a lien holder, the armed forces member must provide the lien holder information at the time of application.

(2) What ownership documents are required to obtain a certificate of ownership for a vehicle from a non-titling state or country?

(a) If the vehicle is from a state or country that by policy or law does not title a specific vehicle, but does register it, the department will accept the registration as an ownership document. If the applicant is not the owner shown on the registration, a bill of sale or release of interest is also required.

(b) If the vehicle is from a state or country that neither registers nor titles, the department will accept a statement from the applicant certifying when and where they purchased the vehicle, and that the previous state or country does not title or register this type of vehicle. A bill of sale is required for vehicles brought in from any state or country. A statement certifying how the vehicle was acquired must be submitted at the time of application. The Washington certificate of ownership may contain a special notation if issued under these circumstances. If the bill of sale is not available, ownership in doubt procedures from WAC 308-56A-210 apply.

(3) What if I am unable to locate a record of my vehicle in any state or country? If there is no indication that your vehicle is from a nontitle or nonregistration state or country, and no record of your vehicle is found, you may follow ownership in doubt procedures in WAC 308-56A-210.

(4) What is required to title a vehicle from a titling state or country that has refused to issue a title document for a specific vehicle? If the state or country has refused to issue title, Washington may require the customer to comply with ownership in doubt procedures from WAC 308-56A-210 except those in WAC 308-56A-210(2). In those cases where a title was refused for reasons not applicable to Washington, the department may consider issuing a title with the appropriate documentation.

(5) What documentation is required in addition to the ownership document if my vehicle is from a foreign country? In addition to the ownership document, the application for certificate of ownership must be accompanied by:

(a) An approved United States Department of Treasury Customs Service form properly executed authorizing the vehicle entry into this country. Applications for certificate of ownership for vehicles imported from Puerto Rico need not be accompanied by a customs document;

(b) An English translation for any document provided which is not in the English language. The translator shall provide a notarized/certified affidavit attesting to the accuracy of the translation;

(c) A release of interest from the owners shown on the ownership documents, as provided in WAC 308-56A-210, if the applicant is not the owner shown.

[Statutory Authority: RCW 46.01.110, 06-22-025, § 308-56A-115, filed 10/25/06, effective 11/25/06; 03-05-081, § 308-56A-115, filed 2/19/03, effective 3/22/03; 01-20-010, § 308-56A-115, filed 9/20/01, effective 10/21/01; 99-01-014, § 308-56A-115, filed 12/7/98, effective 1/7/99; 93-14-084, § 308-56A-115, filed 6/30/93, effective 7/31/93; Order MV 208, § 308-56A-115, filed 7/31/74.]

WAC 308-56A-140 Department temporary permit.

(1) What is a department temporary permit? A department temporary permit consists of a system-generated permit and a cardboard temporary "plate" which may be issued in lieu of a registration certificate and license plates when:

(a) The vehicle is not currently licensed in Washington; and

For the purposes of this section, a vehicle may be considered unlicensed if the current license expires within sixty days of application for the department temporary permit, or the vehicle's license plates are missing or unreadable; and

(b) Appropriate vehicle documentation to title and license the vehicle is not immediately available but is likely to be available within sixty days; and

(c) The vehicle was purchased from someone other than a licensed Washington dealer; or

(d) The vehicle:

(i) Has been declared a salvage vehicle under RCW 46.12.070; and

(ii) Has been retained by the registered owner(s) shown on department of licensing records; and

(iii) Is scheduled for inspection by the Washington state patrol.

Note: Except as provided in (d) of this subsection, a department temporary permit will not be issued to any vehicle when the evidence of ownership is a salvage certificate/title, insurance company bill of sale, or wrecker bill of sale from any jurisdiction, or when the evidence of ownership indicates the vehicle may be a salvage vehicle not reported to the department.

(2) How long is a department temporary permit valid? The department temporary permit is valid for no longer than sixty days from the date of application.

(3) Where do I apply for and obtain a department temporary permit? You may apply for a department temporary permit at any Washington vehicle licensing office.

(4) What fees are due when applying for a department temporary permit? All applicable taxes, title, license fees and inspection fees are due when the department temporary permit is issued. Any fees for license plates are due when the department temporary permit is cleared.

(5) How do I display the cardboard temporary plate? You must display the cardboard temporary plate where it is visible from outside of the vehicle or towed vehicle (such as on the inside left of the rear window), or you may weather-proof the plate and place it in the license plate holder. Carry the cardboard temporary plate in the vehicle or the towing vehicle.

(6) How many months of gross weight must I purchase with a department temporary permit if my vehicle is eligible for monthly gross weight? If your vehicle is eli-

gible for monthly gross weight, you must purchase a minimum of two months' gross weight license to correspond with the duration of the department temporary permit. You may receive credit as described in WAC 308-96A-220(7) for gross weight license already purchased.

(7) **How do I obtain a registration certificate and license plates for my vehicle that has been issued a department temporary permit?** You may obtain a registration certificate and license plates for your vehicle at any vehicle licensing office by submitting:

- (a) An application for certificate of ownership; and
- (b) An odometer disclosure statement, if applicable; and
- (c) License plate fees; and
- (d) Other applicable documentation, fees, and taxes.

(8) **What fees are due when clearing a department temporary permit?** In addition to other fees as prescribed by law, the title application fee and license plate fees are due when the department temporary permit is cleared.

(9) **How do I obtain a replacement department temporary permit?** You may obtain a photocopy of the department temporary permit by contacting any vehicle licensing office who will acquire the photocopy from the department. You must provide the vehicle identification number or the department temporary permit number. The replacement department temporary permit will retain the same expiration date as the original.

(10) **How do I obtain a replacement cardboard temporary "plate"?** You may obtain a replacement cardboard temporary "plate" at any Washington vehicle license office where it was purchased. You must provide the vehicle identification number or the department temporary permit number.

(11) **May a department temporary permit be extended?** Yes, a department temporary permit may be extended on a case-by-case basis upon departmental approval.

(a) An extension of a department temporary permit issued for a total loss vehicle described in subsection (1)(d) of this section will not be approved.

(b) An extension of a department temporary permit cannot be granted for vehicles described in subsection (6) of this section when no more than two months' gross weight were purchased. Additional gross weight cannot be issued until the department temporary permit is cleared.

[Statutory Authority: RCW 46.01.110. 04-08-080, § 308-56A-140, filed 4/6/04, effective 5/7/04. Statutory Authority: RCW 46.01.110, 46.12.040, 46.16.216. 03-12-006, § 308-56A-140, filed 5/22/03, effective 6/22/03; 99-12-031, § 308-56A-140, filed 5/25/99, effective 6/25/99. Statutory Authority: RCW 46.01.110. 93-14-084, § 308-56A-140, filed 6/30/93, effective 7/31/93. Statutory Authority: RCW 46.01.110, 46.12.151 and 46.12.050. 92-03-077, § 308-56A-140, filed 1/14/92, effective 2/14/92; Order MV 208, § 308-56A-140, filed 7/31/74.]

WAC 308-56A-150 Certificate of vehicle inspection.

(1) **When is a certificate of vehicle inspection required?** A certificate of vehicle inspection, completed by the Washington state patrol or other authorized inspector, must accompany the application for certificate of ownership and include the applicable statutory inspection fee whenever the applicant's vehicle is:

(a) Reported destroyed since the last certificate of ownership was issued;

(b) A homemade, assembled, or rebuilt vehicle not previously titled as such;

(c) One whose identification number needs verification as requested by the department, county auditor, or authorized agent;

(d) A kit vehicle not previously titled as such (if no vehicle identification number (VIN) previously assigned);

(e) A street rod not previously titled as such;

(f) A glider kit not previously titled as such;

(g) Subject to ownership in doubt described in WAC 308-56A-210(1) except those in WAC 308-56A-210(2);

(h) One which the Washington crime information center (WACIC) or National Crime Information Center (NCIC) indicates may be stolen;

(i) One for which the WACIC/NCIC has failed to respond to the stolen vehicle search required by chapter 46.12 RCW; or

(j) Inspections are not required for snowmobiles or mobile homes.

(2) **Is there a fee charged for a VIN inspection?** Yes, the amount of the fee is established in RCW 46.12.040. The fee is not due when:

(a) The out-of-state fee authorized by chapter 46.12 RCW has been collected on the same application; or

(b) The Washington state patrol or department of licensing has determined that the fee is not due.

(3) **Who is authorized to perform a vehicle inspection?** Vehicle inspections may be performed by:

(a) The Washington state patrol;

(b) Other entities or individuals designated by the director if the vehicle is located in another state or country and the requirement for inspection by the Washington state patrol will cause undue hardship.

(4) **How long is a vehicle certificate of inspection valid?** The vehicle certificate of inspection is valid for the following periods of time after the inspection date:

(a) Sixty days for vehicles:

(i) Reported destroyed;

(ii) Homemade, assembled, rebuilt, street rods, kit vehicles and glider kits;

(iii) If the identification number needs verification, has been removed, defaced, altered, destroyed, illegible or missing;

(iv) With no Washington record or no manufacture certificate/statement of origin (MCO/MSO) except those in WAC 308-56A-210(2);

(v) Referred for inspection for any reason not listed.

(b) Three hundred sixty-five days for a licensed vehicle dealer.

[Statutory Authority: RCW 46.01.110. 06-22-025, § 308-56A-150, filed 10/25/06, effective 11/25/06. Statutory Authority: RCW 46.01.110, 46.16.125, 46.16.225, 46.16.276, 46.16.060, 46.16.600, 43.17.060. 04-08-002, § 308-56A-150, filed 3/24/04, effective 4/24/04. Statutory Authority: RCW 46.01.110, 46.12.040, 46.16.216. 03-12-006, § 308-56A-150, filed 5/22/03, effective 6/22/03. Statutory Authority: RCW 46.01.110. 03-05-081, § 308-56A-150, filed 2/19/03, effective 3/22/03; 01-20-010, § 308-56A-150, filed 9/20/01, effective 10/21/01. Statutory Authority: RCW 46.01.110, 46.12.040 and 46.16.216. 99-21-098, § 308-56A-150, filed 10/20/99, effective 11/20/99. Statutory Authority: RCW 46.01.110. 97-07-014, § 308-56A-150, filed 3/11/97, effective 4/11/97. Statutory Authority: RCW 46.01.110, 46.12.040 and 46.16.216. 91-04-024, § 308-56A-150, filed 1/29/91, effective 3/1/91. Statutory Authority: RCW 46.01.110. 85-06-011 (Order TL/RG

11), § 308-56A-150, filed 2/22/85; Order MV 208, § 308-56A-150, filed 7/31/74.]

WAC 308-56A-160 Model year—How determined.

(1) **How is a model year assigned to a vehicle?** The model year for a vehicle is the model year assigned by the manufacturer or in the case of homemade vehicles, it is the year the vehicle was built.

(2) **Are there standards for assigning model years that manufacturers must follow?** Manufacturers must adopt standards for assigning model years based on either the date of manufacture or features of the vehicle. The standards must be such that all vehicles assigned a model year that are manufactured in the same year with the same features are assigned the same model year. Manufacturers must designate the model year on the manufacturer's certificate of origin (MCO), manufacturer's statement of origin (MSO) or similar documents.

(3) **How are model years assigned to vehicles that are incomplete, such as certain recreational vehicles?** Manufacturers of chassis or incomplete vehicles sold to motor home or recreational vehicle manufacturers who issue separate MCOs/MSOs need not assign model year to these vehicles. The final stage manufacturer of these vehicles must assign the model year as provided in subsection (2) of this section. In the event a model year is assigned by both the incomplete vehicle manufacturer and the completing manufacturer, the completing manufacturer assigned model year will be used on the certificates of ownership and registration.

(4) **How will a model year be assigned to my vehicle if the manufacturer did not assign one?** If an original manufacturer has not assigned a model year, or your vehicle is rebuilt, homemade, a street rod, assembled or a kit vehicle, the Washington state patrol or other person authorized by the director to make vehicle inspections will use the following criteria to establish the model year:

(a) The model year for a homemade vehicle will be the year of inspection for the purpose of making an application for certificate of ownership.

(b) When possible, the model year will be determined from the vehicle identification number (VIN). When the VIN does not identify the production date, corresponding production records of the original manufacturer must be used.

(c) The model year for assembled vehicles will be determined by the Washington state patrol based on the date of manufacture of the vehicle that the vehicle most closely resembles.

(d) The model year of a kit vehicle as defined in RCW 46.04.251 will not be the model year of the vehicle the kit replicates.

(5) For purposes of this section the following terms will have the meanings indicated:

(a) "Manufacturer" means any person, firm, association, corporation, or trust, resident or nonresident, who manufactures or assembles new and unused vehicles or remanufactured vehicles. Manufacture includes the assembling, altering, or converting of a vehicle to the extent the vehicle qualifies for a change in the series and body type appearing on its title, MCO/MSO or similar documents.

(b) "Incomplete vehicle" means an assemblage consisting of, as a minimum:

- (i) Frame and chassis structure;
- (ii) Power train;
- (iii) Steering system;
- (iv) Suspension system; and
- (v) Braking system.

To the extent that those systems are to be part of the completed vehicle that requires further manufacturing operation; other than the additions of readily attachable components, such as mirrors or tire and rim assemblies, or minor finishing operations such as painting, to become a completed vehicle.

(c) "Model" means a name that a manufacturer applies to a family of vehicles of the same type, make, line, series, and body type.

(d) "Assembled and homemade vehicles" have the meaning provided in WAC 308-56A-455.

[Statutory Authority: RCW 46.01.110, 46.12.040, 46.16.216, 03-12-006, § 308-56A-160, filed 5/22/03, effective 6/22/03; 99-12-031, § 308-56A-160, filed 5/25/99, effective 6/25/99. Statutory Authority: RCW 46.01.110, 97-07-014, § 308-56A-160, filed 3/11/97, effective 4/11/97. Statutory Authority: RCW 46.01.110, 1993 c 488 and chapter 46.12 RCW. 94-17-044, § 308-56A-160, filed 8/10/94, effective 9/10/94. Statutory Authority: RCW 46.01.110, 93-14-084, § 308-56A-160, filed 6/30/93, effective 7/31/93.]

WAC 308-56A-200 Replacement Washington certificate of ownership. (1) What is a replacement certificate of ownership? A replacement certificate of ownership replaces certificates of ownership that are:

- (a) Lost;
- (b) Mutilated;
- (c) Stolen; or
- (d) Destroyed.

(2) **What documents and information do I need to provide to the department to obtain a replacement certificate of ownership?** A replacement certificate of ownership will be issued only to the owner(s) of record. You will need to provide an explanation of what happened to the certificate of ownership that you are replacing and the vehicle description to include, but not limited to, the model year, make, and vehicle identification number or the Washington license plate number. A request for a replacement certificate of ownership must be presented to the department on a notarized or certified:

- (a) Affidavit of loss form;
- (b) Letter of request from the owner(s) of record; or
- (c) Affidavit in lieu of title.

(3) **Who needs to sign the request for a replacement certificate of ownership?** All legal owners shown on department records must sign the request for the replacement certificate of ownership. Signatures must be certified or notarized in accordance with WAC 308-56A-275.

(4) **What do I do if I find my certificate of ownership after I receive a replacement?** Once a replacement certificate of ownership is issued, any previously issued certificate of ownership is void and, if found, must be destroyed.

[Statutory Authority: RCW 46.01.110, 46.12.040, 46.16.216, 03-12-006, § 308-56A-200, filed 5/22/03, effective 6/22/03; 99-12-031, § 308-56A-200, filed 5/25/99, effective 6/25/99; Order MV 208, § 308-56A-200, filed 7/31/74.]

WAC 308-56A-210 Ownership in doubt. (1) What does an applicant do when an acceptable release of inter-

est or documentation as defined in WAC 308-56A-265 is not available? When an applicant is unable to provide an acceptable release of interest or documentation, the applicant may:

Apply for registration only or bonded title as described in this rule. The applicant must:

(a) Provide evidence of ownership of the vehicle such as, but not limited to, a bill of sale;

(b) Obtain a Washington state patrol vehicle identification number (VIN) inspection;

(c) Make a reasonable effort to determine ownership of the vehicle by writing to the agency that issued the last known certificate of ownership or registration. For purposes of this section, an individual purchaser or transferee of a vehicle may request the name and address of the owner(s) of record for that vehicle from the department by satisfying (b)(i) of this subsection and completing a form (Vehicle/Vessel disclosure request) approved by the department. When the department is satisfied the request is for obtaining proper release of interest, the department may disclose the name(s) and address of the last owner(s) of record for that vehicle.

(i) If a record is found, the applicant must send a certified or registered letter, return receipt requested, to each owner and secured party of record at the address shown on the last record. The letter must contain information regarding the sender's claim to ownership and a request for the released certificate of ownership or a notarized or certified release of interest.

(ii) If the previous owner does not respond within fifteen days after acknowledged receipt or the letter was returned unclaimed, the applicant must provide the form titled Application for Ownership in Doubt, explaining how the vehicle was acquired;

If no record is found, the applicant must provide the completed form titled, Application for Ownership in Doubt.

(d) Determine whether to apply for a bonded title or apply for registration only. A bonded title is required if the applicant is a Washington state vehicle dealer. A bond must be for a period of three years from the date of application and be in the amount of one and one-half times the value of the vehicle as determined by one of the following:

(i) Information provided by any guide book or other publication of recognized standing in the vehicle industry; or

(ii) A value that is agreeable to the applicant and verifiable by the authorized department agent or employee.

(2) Are there exceptions to the VIN inspection requirement? Yes, the following vehicles are exempt from a VIN inspection if there is a Washington vehicle record and the customer presents a certificate of ownership or registration certificate issued by Washington, or another state, or country, or if there is no Washington vehicle record (for proof of VIN) and the customer presents a title or registration certificate issued by Washington state or other state or country unless from a state or country that neither registers nor titles as described in WAC 308-56A-115:

(a) Moped;

(b) Trailer with scale weight less than 2,000 pounds;

(c) Off-road and nonhighway vehicles not originally manufactured for road use if model year is ten years old or older;

(d) Travel trailer if model year is ten years old or older;

(e) Camper model year is ten years old or older;

(f) Manufactured homes of any age.

(3) How can I provide proof of my vehicle's identification number? An Application for Ownership in Doubt form approved by the department must be completed:

(a) For a vehicle that has an embossed VIN:

(i) A VIN pencil or pen scraping for those vehicles listed above is required; or

(ii) An approved photograph of the VIN is provided; and

(b) For a vehicle that does not have an embossed VIN, the Application for Ownership in Doubt form stating the VIN and how the VIN is attached to the vehicle.

(c) In the absence of either (a) or (b) of this subsection, a VIN inspection is required.

(4) If I have a bonded title, how can I get a certificate of ownership (title) without the bonded notation? In order to get a certificate of ownership without the bonded notation:

(a) Submit the properly endorsed certificate of ownership or a satisfactory release of interest and make application to the department anytime during the three-year period; or

(b) After the three-year period, make application to the department.

(5) If I have a three-year registration only, how can I obtain a certificate of ownership? To receive a certificate of ownership:

(a) Submit the properly endorsed certificate of ownership or a satisfactory release of interest and make application to the department anytime during the three-year period; or

(b) After the three-year period, make application to the department.

(6) May I sell a vehicle with a bonded title or a three-year registration only? Yes. A bonded title may be released and provided to the buyer the same as any other certificate of ownership. There is a possibility that a Washington bonded title may not be accepted by another state. If the other state has a similar program, they may issue their own type of bonded certificate of ownership. If there is a registration only, provide the buyer with a notarized or certified release of interest. The new owner may either provide a judgment from a district or superior court of Washington or wait until the expiration of the time remaining on the previous ownership in doubt period and then make application for the certificate of ownership. If a notarized/certified release of interest cannot be obtained from the current registered owner, the new owner must start over with a new three-year bonded or registration only process.

Licensed vehicle dealers cannot lawfully sell vehicles that are registration only.

[Statutory Authority: RCW 46.01.110, 06-22-025, § 308-56A-210, filed 10/25/06, effective 11/25/06; 03-05-081, § 308-56A-210, filed 2/19/03, effective 3/22/03; 99-01-014, § 308-56A-210, filed 12/7/98, effective 1/7/99. Statutory Authority: RCW 42.17.250(1), 46.01.110, 46.12.151 and 46.12.380, 96-03-047, § 308-56A-210, filed 1/11/96, effective 2/11/96; Order MV 208, § 308-56A-210, filed 7/31/74.]

WAC 308-56A-215 Erasures, alterations, and incorrect information. (1) Will the department accept an application for certificate of ownership or supporting documents if they have been altered? The department may refuse to accept any application for certificate of ownership

or supporting documents when ownership or vehicle information has been altered.

(2) **Will the department accept a certificate of ownership if it has been altered?** Any alteration or erasure voids the certificate of ownership unless documentation satisfactory to the department in accordance with subsection (3) of this section is submitted with the certificate.

(3) **What does the department require when a certificate of ownership, an application for certificate of ownership or supporting documents has been altered?**

(a) The department may require an affidavit explaining any erasure or alteration on the application, certificate of ownership, or any supporting documentation.

(b) The department may require a notarized/certified release of interest when:

(i) A signature or name that has been altered or erased appears on an application; or

(ii) A security interest is named to be shown on the new certificate of ownership and the applicant claims there is no lien; or

(iii) A security interest is shown incorrectly or is altered on the application for certificate of ownership from a Washington licensed dealer. In lieu of a release of interest, the Washington licensed vehicle dealer may attach an affidavit explaining the error in the security interest.

(c) A name erroneously shown on the certificate of ownership as the purchaser must be accompanied by either a release of interest from the erroneously named purchaser or a statement by the owner of record that the sale was not completed or other explanation for the erroneous designation.

[Statutory Authority: RCW 46.01.110, 46.12.040, 46.16.216, 03-12-006, § 308-56A-215, filed 5/22/03, effective 6/22/03; 99-12-031, § 308-56A-215, filed 5/25/99, effective 6/25/99; Order MV 208, § 308-56A-215, filed 7/31/74.]

WAC 308-56A-250 Signature of registered owner on application—Exceptions. (1) **When is the signature of a registered owner(s) required?** Each registered owner is required to sign the application for certificate of ownership except when:

(a) The application is for the sole purpose of removing a secured party of record from the certificate of ownership;

(b) Authorized supportive documentation is used in lieu of the signature or signatures;

(c) The legal owner applies for a duplicate certificate of ownership;

(d) There is a statutorily authorized lien filed by a government agency against the vehicle;

(e) An existing legal owner's perfected security interest is transferred to another party and the new secured party is perfecting its security interest;

(f) The department determines from a review of supporting documentation that the vehicle record must be corrected and a new certificate of ownership issued to correct an error made by the department.

(2) **When is one signature acceptable on an application for certificate of ownership with multiple registered owners?** Only one registered owner's signature is required when:

(a) The last certificate of ownership was issued in another jurisdiction; and

(b) The last certificate of ownership shows multiple registered owners; and

(c) Ownership is not changing.

[Statutory Authority: RCW 46.16.110, 04-19-017, § 308-56A-250, filed 9/7/04, effective 10/8/04. Statutory Authority: RCW 46.01.110, 03-08-055, § 308-56A-250, filed 3/31/03, effective 5/1/03; 99-08-065, § 308-56A-250, filed 4/5/99, effective 5/6/99; 92-15-024, § 308-56A-250, filed 7/6/92, effective 8/6/92; Order MV 208, § 308-56A-250, filed 7/31/74.]

WAC 308-56A-265 Releasing interest. (1) **How does a registered or legal owner release interest in a vehicle?** To release interest in a vehicle a registered or legal owner must:

(a) Sign the release of interest section provided on the certificate of ownership; or

(b) Provide a release of interest document or form approved by the department.

(2) **Do signatures releasing interest need to be notarized or certified?** If the signatures releasing interest are not provided on the certificate of ownership, all signatures must be notarized or certified in accordance with WAC 308-56A-275.

(3) **When are notarized or certified signatures not required on a release of interest?** Signatures releasing interest do not need to be notarized or certified when:

(a) A signature releasing interest is provided on the certificate of ownership issued by the department or another jurisdiction;

(b) An approved affidavit in lieu of title printed by a lending institution that is authorized by the department to participate in the electronic title program is provided;

(c) A secured party is releasing interest; and

(i) The secured party is a business; and

(ii) Provide a release of interest document or form approved by the department; and

(iii) Is submitted with the current certificate of ownership;

(d) A release of interest or bill of sale from the registered owner when the vehicle is from a jurisdiction which does not title this type of vehicle;

(e) A release of interest or bill of sale from a wrecker or insurance company.

(4) **When is a release of interest not required from a registered owner?** A release of interest from the registered owner is not required when:

(a) The registered owner is identified as a lessee or sublessee on an ownership document.

(b) The vehicle is awarded to a different owner by legal action.

(5) **What other documentation may be used as a release of interest?** Documents that may be used as a release of interest include, but are not limited to:

(a) Bill of sale;

(b) Affidavit in lieu of title with the release of interest portion properly completed;

(c) Letter of release;

(d) Affidavit of repossession;

(e) Affidavit of sale on an abandoned vehicle report;

(f) Chattel or landlord lien form;

(g) Certificate of junk vehicle form; or

(h) Other documentation approved by the department.

These items may be subject to notary requirements.

[Statutory Authority: RCW 46.01.110. 03-08-055, § 308-56A-265, filed 3/31/03, effective 5/1/03; 99-08-065, § 308-56A-265, filed 4/5/99, effective 5/6/99; Order MV 208, § 308-56A-265, filed 7/31/74.]

WAC 308-56A-270 Forms of signature. (1) What forms of signature are acceptable to the department? The department will accept:

(a) The signature of an individual in the same form as the name appears on the application or on the certificate of ownership.

(b) The signature containing initials corresponding to the first letter of the given name(s).

(c) The signature containing a given name(s) corresponding to the initials.

(d) Common nicknames such as Bob for Robert, Jim for James, Betty for Elizabeth, etc.

(e) The signature, any memorandum, signature stamp, mark or sign made with the intent to authenticate an application for certificate of ownership or registration of any person.

(2) What form of signature is required for business owned vehicles? Signatures for business owned vehicles must include:

(a) The name of the business or a commonly accepted abbreviation for the business;

(b) The signature of the person authorized to sign on behalf of the business as stated in subsection (1) of this section; and

(c) The title or position of that person.

[Statutory Authority: RCW 46.16.010 and 9A.04.110. 06-15-060, § 308-56A-270, filed 7/12/06, effective 8/12/06. Statutory Authority: RCW 46.01.110. 03-08-055, § 308-56A-270, filed 3/31/03, effective 5/1/03. Statutory Authority: RCW 46.01.110, 46.12.101, 88.02.070. 02-01-123, § 308-56A-270, filed 12/19/01, effective 1/19/02. Statutory Authority: RCW 46.01.110. 99-08-065, § 308-56A-270, filed 4/5/99, effective 5/6/99; Order MV 208, § 308-56A-270, filed 7/31/74.]

WAC 308-56A-275 Certification of signature. Who may certify signatures?

(1) Signatures must be notarized by a notary public or certified by an agent or subagent appointed by the director to conduct vehicle title and registration activities on behalf of the department. The certification must include the signature and the county, office, and operator numbers of the person certifying the signature. Signatures may also be certified by one of the following:

(a) Employees authorized by the director to certify signatures. These employees are:

(i) Deputy director; and

(ii) Assistant director for vehicle services; and

(iii) Administrator and managers of the division primarily responsible for vehicle title and registration; and

(iv) Persons assigned to liaison duties between the department and its agents and subagents; and

(v) Persons assigned the responsibility of accepting title and registration applications at the department's offices; and

(vi) Persons assigned the responsibility for investigating vehicle dealer activities; and

(b) Persons authorized by a Washington licensed vehicle dealer, if the vehicle is sold by that dealer. The certification must include the dealer number, signature, and title of the person certifying the signature.

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(2) The person certifying the signatures shall require proof of identification. Approved identification includes:

(a) Drivers license; or

(b) Any nationally or regionally recognized government issued photo identification card; or

(c) Any two of the following:

(i) A nationally or regionally recognized credit card (signed);

(ii) Any certificate or other document issued by a government agency for the purpose of establishing identity; or

(d) Other documentation satisfactory to the department.

[Statutory Authority: RCW 46.01.110. 03-08-055, § 308-56A-275, filed 3/31/03, effective 5/1/03; 99-08-065, § 308-56A-275, filed 4/5/99, effective 5/6/99; 88-20-035 (Order TL/RG 44), § 308-56A-275, filed 9/30/88; Order MV 208, § 308-56A-275, filed 7/31/74.]

WAC 308-56A-295 Vehicle sold—Reported stolen—Liability if abandoned. Who is responsible for removal, storage, and disposal fees if a vehicle has been reported stolen after it was reported sold, and is subsequently abandoned?

If a report of sale has been properly filed with the department prior to the date the vehicle was reported stolen, the purchaser shown on that report of sale will be responsible for removal, storage, and disposal fees. If a report of sale has not been properly filed, the registered owner on the department records remains liable.

[Statutory Authority: RCW 46.01.110. 03-05-081, § 308-56A-295, filed 2/19/03, effective 3/22/03; 99-01-014, § 308-56A-295, filed 12/7/98, effective 1/7/99.]

WAC 308-56A-300 Application for certificate of ownership for abandoned vehicles. What proof of ownership do I need to submit for a vehicle I purchased at a Washington abandoned vehicle auction as authorized under chapter 46.55 RCW? You must submit:

(1) A Washington Abandoned Vehicle Report - Affidavit of Sale form as provided for in WAC 308-61-026(1); and

(2) Certificate of ownership application and other documents required by RCW 46.12.030(3).

[Statutory Authority: RCW 46.01.110, 46.12.101. 03-12-071, § 308-56A-300, filed 6/3/03, effective 7/4/03; 99-13-150, § 308-56A-300, filed 6/21/99, effective 7/22/99. Statutory Authority: RCW 46.01.110 and 46.12.101 as amended by 1987 c 127 § 1. 87-21-012 (Order TL/RG/36), § 308-56A-300, filed 10/9/87; Order MV 208, § 308-56A-300, filed 7/31/74.]

WAC 308-56A-305 Law enforcement sale. (1) What documents must I submit to obtain a certificate of ownership for a vehicle that has been purchased at a law enforcement sale? You must submit:

(a) Documents required by chapters 46.01 and 46.12 RCW;

(b) A bill of sale from law enforcement to the purchaser stating that the vehicle was sold in accordance with chapter 63.32, 63.35 or 63.40 RCW;

(c) A copy of an order from any district or superior court of any county of this state authorizing law enforcement to sell the vehicle; or

(d) The current certificate of ownership, if it is available.

(2) Does the sale of a vehicle at a law enforcement sale remove any previous security interest? Yes, the security interests are released at the time of sale.

[Statutory Authority: RCW 46.01.110, 46.12.101, 03-12-071, § 308-56A-305, filed 6/3/03, effective 7/4/03; 99-13-150, § 308-56A-305, filed 6/21/99, effective 7/22/99; Order MV 208, § 308-56A-305, filed 7/31/74.]

WAC 308-56A-310 Personal property lien—Chattel.

(1) **What is a chattel lien?** For the purposes of this section a chattel lien is a process by which a person may sell or take ownership of a vehicle when:

(a) They provide services or materials for a vehicle at the request of the registered owner; and

(b) The person who provided the services and/or materials has not been compensated.

(2) **What documents are required to obtain a certificate of ownership for a vehicle?** The required documents include:

(a) A completed affidavit of sale chattel lien form provided or approved by the department; and

(b) A certified copy of the lien filing that is filed with the county auditor; and

(c) A copy of the letter(s) sent by the lien applicant via first class mail to the registered and legal owners of record; and

(d) A copy of the certified or registered mail, including the return receipt, to the address of the current registered and legal owners of the lien filing; and

(e) Affidavit of service by mail; and

(f) Application for certificate of ownership; and

(g) Other documents that may be required by law or rule.

(3) **When is a court order required to issue a certificate of ownership as a result of a chattel lien?** A Washington court order is required when:

(a) The vehicle is no longer in the possession of the person claiming the chattel lien; or

(b) Someone other than the owner of record requested the services; or

(c) There is no record of the vehicle on file with the department; or

(4) **What laws regulate chattel liens?** Chapter 60.08 RCW regulates chattel liens.

[Statutory Authority: RCW 46.01.110, 06-17-145, § 308-56A-310, filed 8/22/06, effective 9/22/06. Statutory Authority: RCW 88.02.070 and 88.02.100, 01-21-071, § 308-56A-310, filed 10/18/01, effective 11/18/01. Statutory Authority: RCW 46.01.110, 88.02.070 and 88.02.100 [88.02.100], 01-08-022, § 308-56A-310, filed 3/27/01, effective 4/27/01. Statutory Authority: RCW 46.01.110 and 46.12.101, 99-13-150, § 308-56A-310, filed 6/21/99, effective 7/22/99; Order MV 208, § 308-56A-310, filed 7/31/74.]

WAC 308-56A-311 Personal property lien—Landlord's lien for rent. (1) **What is a landlord's lien for rent?** For the purposes of this chapter, a landlord's lien for rent is a process by which a landlord may sell or take ownership of a tenant's vehicle as security for rent due.

(2) **What documents are required to issue a certificate of ownership for a vehicle obtained through the landlord's lien for rent process?** The required documents include:

(a) A completed affidavit of landlord lien form provided or approved by the department;

(b) Application for certificate of ownership; and

(c) Other documents that may be required by law or rule.

(3) **When is a Washington court order required to issue a certificate of ownership as a result of a landlord's**

lien for rent? A Washington court order is required when there is no record of the vehicle on file with the department.

(4) **What laws regulate landlords' lien for rent?** Chapters 59.18, 60.10, and 60.72 RCW regulate landlord liens for rent.

[Statutory Authority: RCW 46.01.110, 06-17-145, § 308-56A-311, filed 8/22/06, effective 9/22/06.]

WAC 308-56A-312 Personal property lien—Self-service storage facilities. (1) **What is a self-service storage facilities lien?** For the purposes of this chapter, a self-storage facilities lien is a process by which the owner of a self-storage facility may sell a vehicle stored at the facility as security for rent or other charges due.

(2) **What documents are required to obtain a certificate of ownership for a vehicle obtained through the self-service storage facilities lien process?** The required documents include:

(a) A completed affidavit of self-storage facilities lien sale form provided or approved by the department;

(b) Application for certificate of ownership; and

(c) Other documents that may be required by law or rule.

(3) **When is a Washington court order required to issue a certificate of ownership as a result of a self-service storage facilities lien?**

(a) The vehicle is no longer in the possession of the person who is claiming the self-service storage facilities lien; or

(b) There is an existing lien holder on the vehicle record;

or

(c) There is no record of the vehicle on file with the department.

(4) **What law regulates self-service storage facilities liens?** Chapter 19.150 RCW regulates self-storage facilities liens.

[Statutory Authority: RCW 46.01.110, 06-17-145, § 308-56A-312, filed 8/22/06, effective 9/22/06.]

WAC 308-56A-315 Name change. What document must I submit to change my name shown on the certificate of ownership? You must submit:

(1) Documents required by chapters 46.01 and 46.12 RCW; and

(2) If the name was changed by a court order, a copy of that order; or

(3) A notarized/certified affidavit signed by you stating:

(a) Your previous and current names; and

(b) The reason for the name change; and

(c) That the purpose of the name change is not to defraud.

[Statutory Authority: RCW 46.01.110, 46.12.101, 03-12-071, § 308-56A-315, filed 6/3/03, effective 7/4/03; 99-13-150, § 308-56A-315, filed 6/21/99, effective 7/22/99; Order MV 208, § 308-56A-315, filed 7/31/74.]

WAC 308-56A-320 Transfer by court order. (1) **What documents must I submit if ownership of a vehicle is awarded by court order?** In addition to ownership documents required by chapter 46.12 RCW and registration documents required by chapter 46.16 RCW, you must submit:

(a) A copy of the Washington state court order, or certification from the clerk of the court confirming the court's action; or

(b) Finding of fact, conclusion of law and decision from the Washington state office of administrative hearings per RCW 46.12.330 for vehicles titled in Washington state; or

(c) A copy of the foreign court order if a vehicle for which ownership was most recently established is in the same jurisdiction as the court action, example: California court order and California vehicle ownership documents; or

(d) The court order to be filed in accordance with RCW 6.36.025 if the court order and vehicle certificate of ownership are not from the same jurisdiction; or

(e) A certificate of ownership from a foreign jurisdiction in the applicant's name.

(2) What information does the department require on the court order or legal decision as defined in RCW 46.12.330? At a minimum, the court order or legal decision must contain:

(a) The full name of the person to whom the property is awarded;

(b) A description of the vehicle(s) awarded;

(c) Validation that the court order has been filed;

(d) An indication that the court order is the final judgment of the court in this matter; and

(e) A signature of an authorized representative of the court.

(3) Does the department require all pages of the final court order or legal decision as defined in RCW 46.12-330? No, the department requires only copies of pages of the final court order or legal decision that contain:

(a) The information listed in subsection (2) of this section; and

(b) If the court order or legal decision identifies any collateral agreements, include the first page, the signature page, and vehicle description; and

(c) The page of the order or decision actually signed by the judge or legal official.

(4) Does the copy of the court order or legal decision need to be certified? No.

(5) What does the department require if the court order or legal decision does not describe the vehicle by vehicle identification number (VIN) or Washington license plate number? The department requires a certified or notarized statement from the owner describing the vehicle in the court order or legal decision by year, make and VIN or vehicle license plate number.

(6) Does the court order or legal decision allow the department to remove the security interest recorded on the current certificate of ownership? The department will remove the security interest only if the court order or legal decision specifically directs the department to do so.

(7) How do I get the security interest removed if the court order or legal decision does not specifically direct the department to do so? The new owner may:

(a) Negotiate with the secured party to obtain either a release of interest or a new security agreement; or

(b) Petition the original court or legal official that issued the order or decision, or a higher court, to have the matter of the secured interest resolved.

[Statutory Authority: RCW 46.01.110, 46.12.101, 03-12-071, § 308-56A-320, filed 6/3/03, effective 7/4/03; 99-13-150, § 308-56A-320, filed 6/21/99, effective 7/22/99; Order MV 208, § 308-56A-320, filed 7/31/74.]

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WAC 308-56A-325 Owner incompetent. (1) What documentation does the department require to show a guardian has been appointed for a person who has been declared incompetent? The department requires a copy of the order issued from any district or superior court of competent jurisdiction.

(2) How is the interest of a person who has been declared incompetent by the court recorded on the certificate of ownership issued by the department? The department will record the name of the court appointed guardian(s) followed by the designation GDN and the name of the estate of the person declared incompetent on the certificate of ownership. Example: John Doe GDN, Estate of Mary Smith.

(3) Who releases interest on a vehicle ownership document if the owner is declared incompetent? Only the court appointed guardian may release interest in the vehicle. If guardianship is not recorded on the current certificate of ownership, a copy of the court order appointing the guardian must accompany the release of interest. The guardian may not appoint any person through power of attorney to release interest.

[Statutory Authority: RCW 46.01.110, 46.12.101, 03-12-071, § 308-56A-325, filed 6/3/03, effective 7/4/03; 99-13-150, § 308-56A-325, filed 6/21/99, effective 7/22/99; Order MV 208, § 308-56A-325, filed 7/31/74.]

WAC 308-56A-330 Owner bankrupt. Who releases interest in a vehicle when an owner has been declared bankrupt? The owner or the trustee appointed by the bankruptcy court has the authority to release interest in a vehicle. A copy of the court order appointing the trustee must accompany the release of interest.

[Statutory Authority: RCW 46.01.110, 46.12.101, 03-12-071, § 308-56A-330, filed 6/3/03, effective 7/4/03; 99-13-150, § 308-56A-330, filed 6/21/99, effective 7/22/99; Order MV 208, § 308-56A-330, filed 7/31/74.]

WAC 308-56A-335 Owner deceased. (1) What titling options are available when a vehicle owner is deceased?

(a) The vehicle can be titled in the name of the estate; or

(b) The vehicle ownership may be released by a personal representative and transferred into the name of a new owner; or

(c) The surviving owner may transfer into their name if joint tenancy was indicated on the certificate of ownership.

(2) How can a vehicle be titled in the name of the estate of the deceased? The signature of a personal representative as described in RCW 11.02.005(1) is required to release interest for the deceased owner. The vehicle may then be titled and licensed in the name of the estate of the deceased pending final settlement of the estate. A copy of the court order appointing or confirming the personal representative must be attached to the application for certificate of ownership.

(3) How will the name of the estate be shown on the certificate of ownership? The name will be shown as "Estate of (deceased's name)."

(4) What do I need as documentation to release or transfer interest in a vehicle acquired from an estate of a deceased person?

If the estate is:

(a) Administered:

(i) Letters of testamentary; or

- (ii) Letter of administration; or
- (iii) Certificate of county clerk.
- (b) Joint tenants with rights of survivorship:
Copy of death certificate.
- (c) Community property:
(i) Copy of the death certificate; and
- (ii) A copy of the community property agreement.
- (d) Not administered:
(i) Copy of death certificate; and
- (ii) Affidavit of inheritance; or
- (iii) Affidavit of succession.

[Statutory Authority: RCW 46.01.110. 01-03-002, § 308-56A-335, filed 1/4/01, effective 2/4/01; 99-06-037, § 308-56A-335, filed 2/26/99, effective 3/29/99; Order MV 208, § 308-56A-335, filed 7/31/74.]

WAC 308-56A-405 Acquired from United States government. Do I need to title those vehicles? A licensed vehicle dealer who acquires vehicles from an agency of the United States government may title the vehicles under "title purpose only" procedures and need attach only the original or one certified copy of the bill of sale if each application is filed in the name of the dealer and all such applications are filed at the same time.

[Statutory Authority: RCW 46.70.160. 05-14-092, § 308-56A-405, filed 6/30/05, effective 7/31/05; Order MV 208, § 308-56A-405, filed 7/31/74.]

WAC 308-56A-410 No application required. When do I not need to apply for a certificate of ownership? A Washington vehicle dealer need not apply for certificate of ownership in his own name when:

- (1) A vehicle is acquired that is titled and the title is properly released; or
- (2) One vehicle dealer transfers a particular vehicle to another vehicle dealer, unless precluded by other regulations;
- (3) The dealer has a properly executed affidavit of loss from the legal owner of record and release of interest from the registered and legal owners of record for a Washington titled vehicle.
- (4) An abandoned vehicle/vessel is purchased by a Washington licensed dealer and intended for retail sale.

[Statutory Authority: RCW 46.01.110 and 46.12.101. 06-23-038, § 308-56A-410, filed 11/7/06, effective 12/8/06. Statutory Authority: RCW 46.70.160. 05-14-092, § 308-56A-410, filed 6/30/05, effective 7/31/05; Order MV 208, § 308-56A-410, filed 7/31/74.]

WAC 308-56A-415 Application in dealers name. When do I need to apply for a certificate of ownership? Except as referenced in WAC 308-56A-410, a Washington dealer must apply for title in his/her own name by following all procedures set forth in these rules whenever the dealer does not have a valid certificate of ownership properly released.

[Statutory Authority: RCW 46.70.160. 05-14-092, § 308-56A-415, filed 6/30/05, effective 7/31/05; Order MV 208, § 308-56A-415, filed 7/31/74.]

WAC 308-56A-420 Delivery of vehicle on dealer temporary permit. How do I deliver a vehicle on a dealer temporary permit?

- (1) A vehicle dealer properly licensed pursuant to chapter 46.70 RCW may deliver a vehicle not currently registered

or that does not bear valid Washington state license plates or tabs by utilizing a dealer temporary license permit.

(2) The application for title portion of the permit form must be properly and completely filled out by the selling/leasing dealer, including the dealer's report of sale and the date on which the vehicle is physically delivered to the customer/purchaser/lessee. If license based on gross weight is required, the amount of gross weight purchased must be clearly shown. The application must be signed by the registered owner(s) or lessee.

(3) The dealer shall collect all fees required for titling and registration of a vehicle.

(4) The dealer shall detach the hard copy of the dealer permit and shall record the date of expiration in dark, bold letters and numbers on the permit side of that copy. Date of expiration will be forty-five calendar days after date on which the vehicle is physically delivered to the customer/purchaser/lessee.

(5) The application copies shall be used by the dealer to apply for title and to complete licensing of the vehicle. Except as provided in RCW 46.70.180(8), when a second temporary permit is authorized; the selling dealer must submit the application and all title/licensing fees to the department of licensing or an authorized licensing agent within forty-five calendar days from the date on which the vehicle is physically delivered to the customer/purchaser. The date on which the selling or leasing dealer physically delivers the vehicle to the customer/purchaser/lessee shall commence the forty-five day interval in which the selling or leasing dealer must make an application for a certificate of title in the purchaser's or lessee's name. Additionally, the director may excuse late applications only in situations where applications are delayed, for reasons beyond the control of the dealer.

(6) The hard copy of the permit and a purchase order identifying the vehicle and the date on which the vehicle was physically delivered to the customer/purchaser/lessee must be carried in the vehicle or the towing vehicle at all times the vehicle is operated on the temporary permit.

(7) The hard copy of the dealer temporary license permit shall be displayed on the inside of the rear window in the lower left corner, or enclosed in a moisture proof protective case securely attached in the rear license plate holder, with the expiration date visible to one standing or following at the rear of the vehicle.

(8) The dealer temporary license permit is valid for not more than forty-five calendar days commencing with the date on which the vehicle is physically delivered to the customer/purchaser/lessee.

(9) The dealer temporary license permit shall not:

- (a) Be issued for a dealer inventoried or a dealer or dealer-employee operated vehicle;
- (b) Be issued as a demonstration permit;
- (c) Be issued for a vehicle processed as a courtesy delivery.

(10) Fees paid for dealer temporary license permit application forms are not refundable unless the dealer ceases doing business as a vehicle dealer. A credit, in the amount of the permit form fee, will be provided when the permit is used by the vehicle dealer to make application for a vehicle title.

(11) The dealer shall maintain a record of each dealer temporary permit form acquisition and distribution including the following:

(a) Date and location of purchase of each permit and the permit number;

(b) Identification of vehicles delivered on temporary permits;

(c) Dates of vehicle sales, leases and deliveries.

[Statutory Authority: RCW 46.70.160, 05-14-092, § 308-56A-420, filed 6/30/05, effective 7/31/05. Statutory Authority: RCW 46.70.160 and 46.70.110, 99-02-049, § 308-56A-420, filed 1/5/99, effective 2/5/99. Statutory Authority: RCW 46.70.160 and 46.70.124, 94-21-055, § 308-56A-420, filed 10/13/94, effective 11/13/94. Statutory Authority: RCW 46.01.110, 93-14-084, § 308-56A-420, filed 6/30/93, effective 7/31/93. Statutory Authority: RCW 46.70.160, 90-10-013, § 308-56A-420, filed 4/20/90, effective 5/21/90; Order MV 208, § 308-56A-420, filed 7/31/74.]

WAC 308-56A-450 Glider kits. (1) What is a glider kit? A glider kit consists of a new cab, chassis, front axle, fenders and air-hose equipment designed for assembly with an existing truck or truck-tractor's rear axle(s), and power train.

(2) How are glider kits described on a certificate of ownership? The following identifiers will be shown on the certificate of ownership:

(a) The model year of the vehicle as designated by the kit manufacturer or the Washington state patrol;

(b) The make of the vehicle will be the make of the kit;

(c) The series and body type will include the initials GL;

(d) The identification number of the vehicle as determined by an authorized vehicle identification inspector.

(3) What documents must be submitted with an application for certification of ownership for glider kits? The application for certificate of ownership must be accompanied by the following documents:

(a) The previously issued certificate of ownership, bill(s) of sale or manufacturer's certificate/statement of origin (MCO/MSO);

(b) The previously issued gross weight license when applying for credit against the registration fee, if applicable;

(c) A certificate of inspection by an authorized inspector verifying the vehicle identification number and of component parts not included in the glider kit MCO/MSO;

(d) A certified weight slip showing the new scale weight of the vehicle;

(e) An MCO/MSO or bill of sale for the kit;

(f) A declaration of value form provided by the department.

[Statutory Authority: RCW 46.01.110, 46.16.125, 46.16.225, 46.16.276, 46.16.060, 46.16.600, 43.17.060, 04-08-002, § 308-56A-450, filed 3/24/04, effective 4/24/04. Statutory Authority: RCW 46.01.110, 00-04-046, § 308-56A-450, filed 1/27/00, effective 2/27/00; 92-15-024, § 308-56A-450, filed 7/6/92, effective 8/6/92; Order MV 208, § 308-56A-450, filed 7/31/74.]

WAC 308-56A-455 Assembled and homemade vehicles. (1) What constitutes an assembled vehicle? An assembled vehicle is a vehicle that:

(a) Has had the complete body or frame replaced with the body or frame from another commercially manufactured vehicle; or

(b) Had the body or frame cut in two and replaced with a major portion of the body or frame from another vehicle; or

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(c) Has had a major modification so that the VIN no longer properly describes the vehicle; or

(d) Is a motorcycle on which the frame and engine are of different make or model years. An assembled vehicle is made from parts produced by recognized manufacturers for commercially produced vehicles, and can be recognized as one produced by a particular manufacturer. Assembled vehicles do not include glider kits, custom built, replica, kit vehicles, or trucks installed with a different bed.

(2) How is the model year determined for an assembled vehicle? The Washington state patrol will determine the model year of an assembled vehicle upon inspection of the vehicle.

(3) What constitutes a homemade vehicle? A homemade vehicle is one that cannot visually be identified as produced by a particular manufacturer and is made primarily from fabricated parts. The make will be identified as homemade.

(4) How is the model year determined for a homemade vehicle? The Washington state patrol will determine the model year of a homemade vehicle upon inspection of the vehicle.

(5) What documents must I submit with my application for a certificate of ownership for an assembled or homemade vehicle? You must submit the following documents with your application for certificate of ownership:

(a) The certificate of ownership or bills of sale for each vehicle or major component part used in the assembly or construction of the vehicle. The bills of sale must be notarized unless the seller is a licensed business. The bill(s) of sale must include:

(i) The names and addresses of the seller and purchaser;

(ii) A description of the part being sold, including the make, model and identification or serial number;

(iii) The date of sale;

(iv) The purchase price of the part; and

(v) The stock number if from a Washington licensed wrecker;

(b) A Washington state patrol inspection or inspection from other personnel authorized by the director verifying the vehicle identification number, make, model, and year; and

(c) A completed declaration of value form.

You may be required to apply for ownership in doubt as described in WAC 308-56A-210 if you do not have all the required documentation.

(6) What is required if I must remove, destroy or conceal a vehicle identification number plate on a vehicle or major component part to be used on my assembled or homemade vehicle? The vehicle or major component part containing the VIN plate must be presented to the Washington state patrol with the VIN plate intact. The WSP will remove the VIN plate and mark the vehicle or major component part so it can be identified when the assembled or homemade vehicle is ready for inspection.

[Statutory Authority: RCW 46.01.110, 04-08-080, § 308-56A-455, filed 4/6/04, effective 5/7/04; 03-10-097, § 308-56A-455, filed 5/7/03, effective 6/7/03; 00-04-046, § 308-56A-455, filed 1/27/00, effective 2/27/00; 92-15-024, § 308-56A-455, filed 7/6/92, effective 8/6/92; Order MV 208, § 308-56A-455, filed 7/31/74.]

WAC 308-56A-460 Destroyed or wrecked vehicle—Reporting—Rebuilt. (1) **What are total loss, destroyed, salvage, and wrecked vehicles?** For the purposes of this section:

(a) A total loss vehicle is one whose destruction has been reported to the department as described in RCW 46.12.070 by an insurer (insurance companies and self-insurers as described in RCW 46.29.630);

(b) A destroyed vehicle is one whose destruction has been reported to the department as described in RCW 46.12.070 by the vehicle's owner;

(c) A salvage vehicle as defined in RCW 46.12.005;

Note: When used in this section, the terms "destroyed" and "destroyed vehicle" include total loss, destroyed, and salvage vehicles.

(d) A wrecked vehicle as defined in RCW 46.80.010(6).

Note: A vehicle may be considered destroyed or wrecked when the evidence of ownership is a salvage certificate/title, insurance company bill of sale, or wrecker bill of sale from any jurisdiction, or when the evidence of ownership indicates the vehicle may be a destroyed vehicle not reported to the department.

(2) **How are vehicles reported to the department as total loss, destroyed, salvage, or wrecked?**

(a) Insurers may report total loss vehicles to the department:

(i) Electronically through the department's on-line reporting system. Insurers must destroy ownership documents for a vehicle reported this way; or

(ii) By submitting the certificate of ownership or affidavit in lieu of title indicating the vehicle is "DESTROYED"; or

(iii) By submitting a completed total loss claim settlement form (TD 420-074).

Note: Reports of total loss vehicles must include the insurer's name, address, and the date of loss.

(b) Registered or legal owners report a vehicle as destroyed by submitting the certificate of ownership or affidavit in lieu of title indicating the vehicle is "DESTROYED," and must include the registered owner's name, address, and date of loss.

(c) Licensed wreckers report wrecked vehicles as required in RCW 46.80.090.

(d) For vehicles six through twenty years old a statement whether or not the vehicle meets the market value threshold amount as defined in RCW 46.12.005 is also required.

(3) **What if the "market value threshold amount" is not provided as required?** If the market value threshold amount is not provided when required, the department would treat the report of destruction as if the market value threshold as described in RCW 46.12.005 has been met. The certificate of ownership will be branded according to WAC 308-56A-530.

(4) **What documentation is required to obtain a certificate of ownership after a vehicle is destroyed?** After a vehicle has been reported destroyed or wrecked and is rebuilt, you must submit the following documentation to the department in order to obtain a new certificate of ownership:

(a) Application for certificate of ownership as described in RCW 46.12.030;

(b) Certificate of vehicle inspection as described in WAC 308-56A-150;

(c) Bill of sale from the insurer, owner, or wrecker who reported the vehicle's destruction to the department.

(i) Bills of sale from insurers must include a representative's signature and title of office;

(ii) Bills of sale from insurers and wreckers do not need to be notarized;

(iii) Bills of sale from owners shown on department records must be notarized or certified;

(iv) A bill of sale is not required when owners shown on department records retain a destroyed vehicle and apply for a new certificate of ownership;

(v) Releases of interest from lien holders are not required since liens are presumed to have been satisfied at the time of settlement of the claim.

(d) Odometer disclosure statement, if applicable.

(5) **What is required of a Washington licensed vehicle dealer prior to selling a destroyed or wrecked vehicle?** Except as permitted by RCW 46.70.101 (1)(b)(viii), before a dealer may sell a destroyed or wrecked vehicle under their Washington vehicle dealer license, the dealer must:

(a) Rebuild the vehicle to standards set by the state of Washington or the federal government pertaining to the construction and safety of vehicles; and

(b) Obtain a vehicle inspection by the Washington state patrol; and

(c) Apply for and receive a certificate of ownership for the vehicle, issued in the name of the vehicle dealer.

(6) **Once a destroyed or wrecked vehicle is rebuilt, do the license plates remain with the vehicle?** Whether or not the license plates remain with the vehicle depends on the circumstance:

(a) Standard issue license plates may remain with a destroyed vehicle unless they are severely damaged or the vehicle was issued a department temporary permit described in WAC 308-56A-140;

(b) Replacement license plates are required for wrecked vehicles since Washington licensed wreckers are required by WAC 308-63-070 to remove them;

(c) Special license plates may remain with or be transferred to a destroyed or wrecked vehicle;

(d) Applicants may retain the current license plate number as provided for in RCW 46.16.233, unless the vehicle was issued a department temporary permit as described in WAC 308-56A-140.

(7) **Will the certificate of ownership or registration certificate indicate "WA REBUILT"?** Salvage or wrecked vehicles meeting the criteria described in WAC 308-56A-530 will be branded "WA REBUILT."

[Statutory Authority: RCW 46.01.110. 04-08-080, § 308-56A-460, filed 4/6/04, effective 5/7/04; 02-19-016, § 308-56A-460, filed 9/9/02, effective 10/10/02; 01-20-010, § 308-56A-460, filed 9/20/01, effective 10/21/01. Statutory Authority: RCW 46.01.110 and 46.12.070. 00-06-025, § 308-56A-460, filed 2/23/00, effective 3/25/00. Statutory Authority: RCW 46.01.110. 92-15-024, § 308-56A-460, filed 7/6/92, effective 8/6/92. Statutory Authority: RCW 46.01.110 and 46.12.070. 91-04-025, § 308-56A-460, filed 1/29/91, effective 3/1/91; Order MV 208, § 308-56A-460, filed 7/31/74.]

WAC 308-56A-500 Definitions. The following definitions apply to terms used in chapters 46.12 and 46.16 RCW and chapter 308-56A WAC:

(1) "Affidavit in lieu of title" is a written declaration confirming the certificate of ownership, registration certificate, validation tab are unavailable, lost, stolen, destroyed or mutilated. The affidavit in lieu of title may be used to release

interest in the vehicle. The signature of the owner completing the affidavit in lieu of title must be notarized or certified as described in WAC 308-56A-270.

(2) "Affidavit of loss" is a written statement confirming the certificate of ownership, registration certificate, validation tab or decal has been lost, stolen, destroyed or mutilated. The affidavit of loss release of interest form may be used to release interest in the vehicle and transfer gross weight license for that vehicle to a new owner. The signature of the owner completing the affidavit of loss release of interest must be notarized or certified as described in WAC 308-56A-270.

(3) "Affixed" means attached.

(4) "Brands" means a permanent notation on the certificate of ownership and vehicle registration certificate that records a circumstance or condition involving a vehicle.

(5) "Brands incident date" is the date that a brand was first applied to a vehicle. For states/jurisdictions participating in the National Motor Vehicle Title Information System (NMVTIS), it's the date the brand was first reported. For all other states/jurisdictions, it is established by using the date the current title was issued. Brands on Washington records prior to the effective date of this rule will reflect a brand incident date equal to the date the last Washington certificate of ownership was issued.

(6) "Certificate of ownership" (also referred to as "certificate of title" or "title") is a legal document indicating proof of ownership and will establish a fact or sustain a judgment unless contradictory evidence is produced. A certificate of ownership may be a document other than a title when a title document is not issued by a jurisdiction. For example, for Canadian vehicles, the certificate of ownership is the registration.

(7) "Comment" means an indication on the certificate of ownership, vehicle title/registration application or vehicle registration certificate that relates to tax liability, type of ownership, title transaction type or a previous condition of the vehicle.

(8) "Commercial parking company" means any business directly engaged in providing vehicle parking upon property owned or controlled by the business and approved for public parking of vehicles.

(9) "Current license plate registration" means the current registration or one that has been expired less than one year.

(10) "Declaration in lieu of title" is a written statement confirming the certificate of ownership, registration certificate, validation tab is unavailable, lost, stolen, destroyed, or mutilated. The declaration in lieu of title may be used to release interest in the vehicle. The signature of the owner completing the declaration in lieu of title must be signed under penalty of perjury, as described in WAC 308-56A-270.

(11) "Declaration of loss" is a written statement confirming the certificate of ownership, registration certificate, validation tab or decal has been lost, stolen, destroyed, or mutilated. The declaration of loss release of interest form may be used to release interest in the vehicle and transfer gross weight license for that vehicle to a new owner. The signature of the owner completing the declaration of loss release of interest must be signed under penalty of perjury, as described in WAC 308-56A-270.

(12) "Department" means the same as described in RCW 46.04.162.

(13) "Department temporary permit" is a permit issued temporarily in lieu of permanent registration and license plates when required documentation is unavailable.

(14) "Electronic filing" is the use of an electronic method to transmit information to the department that may include, but is not limited to, the use of the internet and facsimile.

(15) "Involuntary divestiture" means a change in vehicle ownership without the registered owner's involvement.

(16) "Joint tenancy with rights of survivorship" (JTWROS) means two or more people who own a vehicle in joint tenancy with the right to own individually if one of them dies.

(17) "Jurisdiction code" means an abbreviation assigned by the department generally based on the U.S. Postal Service designation that indicates state, province, district, or country.

(18) "Legal owner" means the same as described in RCW 46.04.270.

(19) "Lien holder" means a person or entity that has a legal right or interest in another's property until a debt or duty that it secures is satisfied.

(20) "Natural person" means a human being.

(21) "Not eligible for road use" (NEFRU) means a vehicle that does not meet Federal Motor Vehicle Safety standards, other federal and/or state standards for public road use as adopted, applied, and enforced by the Washington state patrol described in RCW 46.37.005.

(22) "A declaration under penalty of perjury" means a statement signed by the applicant to the effect - "I declare under penalty of perjury under the laws of the state of Washington that the information I have provided on this form is true and correct." Anyone who knowingly makes a false statement may be guilty of a crime under state law.

(23) "Person" means the same as described in RCW 46.04.405.

(24) "Personal representative" means:

(a) An individual appointed by the court; or

(b) An individual named in the last will and testament and confirmed by the court to manage the estate of a deceased person.

Personal representative may also include executor, administrator, special administrator, and guardian or limited guardian and special representative as defined in RCW 11.02.005(1).

(25) "Registered owner" means the same as described in RCW 46.04.460.

(26) "Security interest" means a property interest created by agreement or by operation of law to secure performance of an obligation (repayment of a debt).

(27) "Security interest holders" means in this instance, the same as "lien holder" as defined in subsection (16) of this section.

(28) "Secured party" means in this instance the same as "lien holder" as defined in subsection (16) of this section.

(29) "Standard brand" is a brand found on the brands list maintained by the National Motor Vehicle Title Information System (NMVTIS) program.

(30) "Transferee" means a person to whom a vehicle is transferred, by purchase, gift, or any means other than by creation of a security interest, and any person who, as agent, signs an odometer disclosure statement for the transferee, when applicable.

(31) "Transferor" means a person who transfers ownership in a vehicle by sale, gift, or any means other than by creation of a security interest and any person who, as agent, signs an odometer disclosure statement for the transferor, when applicable.

(32) "Unique brand" means a brand issued by a state that is not participating in the National Motor Vehicle Title Information System (NMVTIS) program and does not appear on the brands list maintained by NMVTIS.

(33) "Vehicle seller's report of sale" is a document or electronic record transaction that protects the seller of a vehicle from certain criminal and civil liabilities arising from use of the vehicle by another person after the vehicle has been sold or a change of ownership has occurred.

(34) A "vehicle" is a device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

(35) "Washington vehicle licensing office" means an office that is operated by the department or an agent or sub-agent appointed under RCW 46.01.140 for the purpose of carrying out the vehicle titling and registration provisions in Title 46 RCW.

[Statutory Authority: RCW 46.01.110 and 46.12.101. 06-23-038, § 308-56A-500, filed 11/7/06, effective 12/8/06. Statutory Authority: RCW 46.16.010. 05-23-135, § 308-56A-500, filed 11/22/05, effective 1/3/06. Statutory Authority: RCW 46.01.110. 05-07-152, § 308-56A-500, filed 3/23/05, effective 5/15/05; 04-08-081, § 308-56A-500, filed 4/6/04, effective 5/7/04; 02-19-016, § 308-56A-500, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 65.20.110. 00-13-083, § 308-56A-500, filed 6/20/00, effective 7/21/00; 00-06-004, § 308-56A-500, filed 2/18/00, effective 3/20/00; 90-11-091, § 308-56A-500, filed 5/18/90, effective 6/18/90.]

WAC 308-56A-505 Elimination of manufactured home certificate of ownership (title)—Eligibility. (1) **May I eliminate the certificate of ownership (title) on my manufactured home?** You may eliminate the certificate of ownership (title) on your manufactured home provided you own or are purchasing the manufactured home and the land to which it is affixed as defined in RCW 65.20.020 and 65.20.030.

(2) **How do I apply to eliminate the certificate of ownership on my manufactured home?** You must complete, record and submit a manufactured home application. The application to eliminate the certificate of ownership issued under chapter 46.12 RCW, and record ownership as real property under chapter 65.20 RCW or to transfer ownership in real property to a title under chapter 46.12 RCW, must be signed by all persons having an interest in the land and the manufactured home as defined in RCW 65.20.020.

(3) **What conditions must be met before the certificate of ownership can be eliminated?** The following conditions must be met before the certificate of ownership will be eliminated:

(a) The manufactured home must be affixed or be in the process of being affixed to the land.

(b) The building permit office certification box on the elimination application must be completed by the issuing authority stating that the home was affixed or that a building permit has been issued for this purpose as described in RCW 65.20.040(3).

(c) If a title company is involved in the elimination transaction, they must certify that the legal description of the land is true and correct per real property records.

(d) The completed application must be recorded with the county auditor's office in the county where the manufactured home and land are located.

(e) After recording, the original or a certified copy of the elimination application and any other documents required by the department must be submitted to a vehicle licensing office to complete the elimination process with the appropriate fees. A confirmation letter is sent from the department confirming the elimination of the certificate of ownership.

(f) Failure to finalize the elimination process with a vehicle licensing office will render the elimination incomplete until such time the original or certified copy of the recorded application and any other documents required by the department are submitted to a vehicle licensing office with the appropriate fees.

(4) **How do I complete the elimination of my manufactured home certificate of ownership with the department?** After recording the original or a certified copy of the elimination application and any other documents required, it must be submitted to the department for processing with payment of the applicable fees. After the application has been processed, you will receive a confirmation letter from the department that your manufactured home certificate of ownership has been eliminated.

(5) **What are the fees for elimination of a manufactured home title?** The fees for elimination of a manufactured home title are as follows:

(a) Fees as provided in RCW 46.01.140 for each application.

(b) Fees as provided in RCW 46.12.040 for each application.

(c) A fee for each application to transfer a new or used manufactured home as provided in RCW 59.22.080.

(d) A fee of twenty-five dollars for each application to cover the cost of processing documents and performing services as described in RCW 65.20.090.

[Statutory Authority: RCW 65.20.090. 05-01-209, § 308-56A-505, filed 12/21/04, effective 1/21/05. Statutory Authority: RCW 46.01.110. 04-08-081, § 308-56A-505, filed 4/6/04, effective 5/7/04. Statutory Authority: RCW 65.20.110. 01-11-069, § 308-56A-505, filed 5/14/01, effective 6/14/01; 00-06-004, § 308-56A-505, filed 2/18/00, effective 3/20/00; 90-11-091, § 308-56A-505, filed 5/18/90, effective 6/18/90.]

WAC 308-56A-525 Vehicle seller's report of sale. (1) **Who must file a vehicle seller's report of sale?** With the exception of certain vehicle transfers by registered Washington vehicle dealers, and vehicles disposed of by licensed vehicle wreckers, Washington law (RCW 46.12.101) requires filing a vehicle seller's report of sale by any person or business that transfers their interest in a Washington titled vehicle to anyone else. For the purposes of this rule, transferring interest includes, but is not limited to, selling, gifting, trading or disposing of your vehicle, but does not include the creation, deletion or change of a security interest.

(2) **When must a completed vehicle seller's report of sale be filed?** Vehicle seller's report of sale must be received by the department within five days of the date of sale, gift,

trade or other disposition of the vehicle, excluding Saturdays, Sundays, and state and federal holidays.

(3) **Who is the seller?** The seller is the current registered owner of record according to the computer file kept by the department. The seller is a person (individual or business) who transfers their right of ownership of a vehicle to another person or business.

(4) **Who is the purchaser?** The purchaser is a person (individual or business) who takes a vehicle into their possession, by voluntary acquisition.

(5) **Why complete and file a vehicle seller's report of sale?** It is in the seller's best interest to file the properly completed vehicle seller's report of sale to protect the seller in the event the buyer does not make application for ownership and then accumulates parking tickets, or towing charges, is involved in an uninsured accident or used in illegal activity, etc.

Vehicle seller's report of sale received by the department of licensing that are incomplete will be filed with the department; however, those that do not meet the requirements of the law may not protect the seller from any civil or legal action if the vehicle is subsequently abandoned or involved in illegal activity.

(6) **How do I file my vehicle seller's report of sale?** You may file your seller's report of sale through:

- (a) Your local vehicle/vessel licensing office; or
- (b) The department by mail; or
- (c) The internet.

(7) **What information is required on the vehicle report of sale?** You are required to provide information contained in RCW 46.12.101 that includes:

- (a) The date of sale or transfer;
- (b) Name(s) and address of seller;
- (c) Name(s) and address of transferee (buyer);
- (d) Description of vehicle; and
- (e) Purchase price.

When you mail a vehicle seller's report of sale to the department, you will not receive a confirmation or receipt. You may wish to make a photocopy of the report of sale for your records prior to sending it to the department.

(8) **Is there a fee for recording a vehicle seller's report of sale?** Yes. It applies when a report of sale is filed through your local vehicle licensing office as authorized by RCW 46.01.140 (5)(b).

(9) **May a vehicle seller's report of sale be removed from my vehicle record?** Yes. As a registered owner, you may have a vehicle seller's report of sale removed from your vehicle record through your local vehicle licensing office, or by notifying the department in writing. You will need to provide the reason you are removing the vehicle seller's report of sale from your vehicle record.

(10) **How will I show that I filed a completed vehicle seller's report of sale?** When you file a vehicle seller's report of sale at any Washington vehicle licensing office, you will be provided with a receipt.

When you file a vehicle report of sale on the internet, you will have the option of printing your receipt. Both receipts will show the following information:

- (a) Date the report of sale was filed;
- (b) Description of vehicle;

(c) Name and address of agent/subagent where filed (not included when filing through the internet);

(d) Date of sale;

(e) Purchase price if provided;

(f) Name(s) and address of seller;

(g) Name(s) and address of transferee (buyer if provided).

Washington law makes it clear that it is a felony to knowingly make a false statement of fact. The penalty, upon conviction, must be a fine of not more than five thousand dollars or imprisonment of not more than ten years, or both the fine and imprisonment. (RCW 46.12.210.)

[Statutory Authority: RCW 46.01.110 and 46.12.101. 06-23-038, § 308-56A-525, filed 11/7/06, effective 12/8/06; 02-24-014, § 308-56A-525, filed 11/25/02, effective 12/26/02.]

WAC 308-56A-530 Vehicles brands and comments.

(1) **What is a brand?** For the purposes of this section a brand is a notation on the certificate of ownership or vehicle registration certificate that records a special circumstance or condition involving a vehicle.

(2) **What brands are assigned to vehicles by the department?** Brands used by the department include, but are not limited to:

- (a) Former exempt, as defined in RCW 46.16.020;
- (b) Former for hire, as defined in RCW 46.72.010;
- (c) Former taxicab, as described in RCW 46.72.010;
- (d) Rebuilt as required in RCW 46.12.075, when a vehicle reported destroyed under RCW 46.12.070 or 46.80.090 and WAC 308-56A-460 meets the definition of salvage vehicle in RCW 46.12.005;
- (e) Street rod as defined in RCW 46.04.571;
- (f) Nonconformity uncorrected or safety defect uncorrected as defined in RCW 19.118.021 (13) and (18);
- (g) Nonconformity corrected or safety defect corrected as defined in RCW 19.118.021 (13) and (18);
- (h) Returned to manufacturer;
- (i) Odometer - Not actual;
- (j) Odometer - Exceeds mechanical limits;
- (k) Repaired - Wrecker/insurance bill of sale.

(3) **What brands are carried forward from the other states/jurisdictions by the department?**

(a) Brands for states/jurisdictions participating in the National Motor Vehicle Title Information System (NMVTIS) program (known as "Standard Brands,") are maintained in the brands list by NMVTIS and include, but are not limited to:

- (i) Rebuilt;
- (ii) Junk;
- (iii) Destroyed;
- (iv) Salvage - Damaged;
- (v) Salvage - Retention;
- (vi) Salvage - Stolen;
- (vii) Salvage - Other;
- (viii) Flood damage;
- (ix) Hail damage;
- (x) Saltwater damage;
- (xi) Totaled.

(b) Brands from states/jurisdictions not participating in NMVTIS that do not appear on the brands list maintained by NMVTIS (known as "unique brands") will be carried forward

on Washington certificates of ownership and registration certificates exactly (or abbreviated if too long) as they appear on the foreign title.

More than one brand may appear on the vehicle registration or certificate of ownership.

(4) **Will a brand be applied to destroyed vehicles that have been sold on an out-of-state wrecker or insurance bill of sale, then repaired, and inspected?** Yes. Vehicles not reported to DOL as destroyed and then sold using an insurance or wrecker bill of sale in lieu of a certificate of ownership/title, then brought into Washington from another jurisdiction that is not subject to reporting under RCW 46.12.070 repaired, and inspected will be branded. The brand will appear as "repaired-wrecker/insurance bill of sale."

The jurisdiction code will be identified as "WA."

(5) **Why is a brand used?** A brand is used in the circumstances above for consumer protection. The brand is used to inform any subsequent owners of the current or former condition or use of the vehicle.

(6) **Will the department remove a brand?** Brands stay on vehicle records indefinitely. The department will only remove a brand if the brand was applied to a Washington certificate of ownership in error; or

(a) If a former rental brand was applied prior to the effective date of this rule, it will remain on the certificate of ownership and/or vehicle registration unless applied in error.

(b) If a nonstandard brand was applied prior to the effective date of this rule, it will remain on the certificate of ownership and/or vehicle registration unless applied in error.

(7) **Where are brands located on the documents?** Brands are located in the brands section of the certificate of ownership and vehicle registration. Brands will display beginning with Washington issued brands, followed by unique brands, then standard brands. If applicable, "WA REBUILT" will show as a banner across the certificate of ownership.

(8) **What is a comment?** For the purposes of this section a comment is an indication on the certificate of ownership, vehicle title/registration application or vehicle registration certificate that relates to tax liability, type of ownership, title transaction type.

(9) **What comments could the department print on certificates of ownership?**

(a) Comments relating to the ownership that include: Bonded, leased, JTWROS.

(b) Comments relating to tax liability that include: Use tax waived - gift, value code, value year.

(c) Comments relating to the type of title transaction, which include duplicate, and reprint.

(d) Miscellaneous comments that include: Not eligible for road use.

(10) **What comments could the department print on vehicle registration certificates?** Comments printed on vehicle registration certificates may include, but are not limited to:

(a) "CVSEF PAID" or "commercial vehicle safety enforcement fee paid";

(b) "Because scale weight exceeds gross weight, D.O.T. permit also required";

(c) "Commercial vehicle safety enforcement fee not paid";

(d) "Display tab on back license plate" only - front plate is still required;

(e) "*Check vehicle data base record for actual expiration date";

(f) "Replica";

(g) "Proof of FHVUT verified";

(h) "No title issued" or "no title issued - ownership in doubt";

(i) "Excise exempt NRM";

(j) "Excise exempt native American";

(k) "Excise exempt van pool";

(l) "Excise exempt rideshare";

(m) "Registration only";

(n) "Prorated gross weight to be more than 16,000";

(o) "Additional owners on record";

(p) "Not eligible for road use";

(q) "Perm plt";

(r) "Use tax waived: Gift";

(s) "Permanent fleet vehicle";

(t) "*Perm";

(u) "Color";

(v) Comments relating to the ownership; bonded, leased, JTWROS, registration only;

(w) Tax liability DAV, native American, NRM, value code/year, use tax option, rideshare, POW, tax code 95, double transfer;

(x) Title transaction type duplicate, reprint, NTI, dual registration, corrected title data, corrected registration;

(y) Miscellaneous gift, ride, previous plate VIN flag, farm vehicle restrictions, Federal Drug Program (Title 49 CFR Part 382) vehicle color, odometer code, RETURN TO MFG, not eligible for road use (NEFRU).

(11) **What comments would the department carry forward from other jurisdictions?** The department does not carry forward comments assigned by other jurisdictions.

(12) **Why are comments used?** Comments are used for consumer protection, to inform any subsequent owners and vehicle licensing personnel of the current tax liability, type of ownership, or title transaction type or other pertinent information.

(13) **Will the department remove a comment?** The department will remove a comment if:

(a) The comment was applied in error; or

(b) The comment no longer applies.

[Statutory Authority: RCW 46.01.110, 05-07-152, § 308-56A-530, filed 3/23/05, effective 5/15/05; 02-19-016, § 308-56A-530, filed 9/9/02, effective 10/10/02.]

WAC 308-56A-640 Odometer disclosure statement.

(1) **When is an odometer disclosure statement required?**

An odometer disclosure statement is required on all transfers of ownership as required by RCW 46.12.124 and Title 49 of the Code of Federal Regulations (CFR), unless specifically exempted.

(2) **What odometer disclosure statement forms will the department accept?** The department will accept odometer disclosure statement forms that comply with the Federal Truth in Mileage Act of 1986, Title 49 CFR, and RCW 46.12.124.

Note: An odometer power of attorney used in compliance with Part 580, Title 49 of the Code of Federal Regulations (CFR) is acceptable, and will not violate the intention of this rule.

(3) When is an odometer disclosure/title extension statement used? An odometer disclosure/title extension statement is a form used:

(a) With a certificate of ownership when an odometer disclosure statement is required; and

(b) If all reassignments on the certificate of ownership are full; or

(c) If the certificate of ownership is unavailable.

(4) What are the odometer disclosure requirements for dealer transactions? Dealers are required to obtain an odometer disclosure statement from the selling owner (transferor), and acknowledge the disclosure as transferee, when taking a vehicle in on trade, purchase, or otherwise acquiring a vehicle. Dealers must complete an odometer disclosure statement as transferor when selling a vehicle either wholesale or retail.

(5) What are the odometer disclosure requirements for vehicles sold through an auction company? The seller/consignor completes an odometer disclosure statement as transferor and the successful bidder/buyer acknowledges the disclosure as transferee.

(6) How long must dealers and auction companies maintain odometer disclosure statement records? Dealers and auction companies must keep odometer disclosure statement records for five years.

(7) What are the odometer disclosure requirements for leased vehicles? Odometer disclosure is required when establishing, terminating, or buying out a lease.

(a) When establishing a lease, the lessor must complete an odometer disclosure statement as transferor, and the lessee must acknowledge the disclosure as transferee.

(b) When terminating or buying out a lease, the lessee must complete an odometer disclosure statement as transferor, and the lessor must acknowledge the disclosure as transferee. Prior to the termination of the lease or any transfer of ownership, the lessor must notify the lessee in writing that the lessee must provide an odometer disclosure statement to the lessor.

(c) Only the former lessee needs to submit a completed odometer disclosure statement with an application for certificate of ownership following a lease buyout. The former lessee must complete the odometer disclosure statement as transferee. No transferor signature is required.

(8) May a power of attorney be used to complete an odometer disclosure statement? Yes, with the following restrictions:

(a) The transferor cannot authorize or give power of attorney to the transferee or dealer to complete the odometer disclosure statement.

(b) The transferee cannot authorize or give power of attorney to the transferor or dealer to complete the odometer disclosure statement.

(c) No person may sign an odometer disclosure statement as both the transferor and transferee in the same transaction.

Note: An odometer power of attorney used in compliance with Part 580, Title 49 of the Code of Federal Regulations (CFR) is acceptable, and will not violate the intention of this rule.

(9) Is an odometer disclosure statement required when involuntary divestiture occurs? Yes. The seller, although not the owner of record, must complete an odometer disclosure statement as transferor, and the buyer must acknowledge the disclosure as transferee. The department may approve disclosure by the transferee only in extenuating circumstances.

[Statutory Authority: RCW 46.01.110 and 46.12.020. 04-03-016, § 308-56A-640, filed 1/12/04, effective 2/12/04. Statutory Authority: RCW 46.01.110 and 46.12.030. 00-06-020, § 308-56A-640, filed 2/23/00, effective 3/25/00. Statutory Authority: RCW 46.01.110 and 46.12.124. 97-14-034, § 308-56A-640, filed 6/25/97, effective 7/26/97. Statutory Authority: RCW 46.12.030 and 46.01.110. 89-16-074 (Order TL/RG 49), § 308-56A-640, filed 7/31/89, effective 8/31/89.]

Chapter 308-57 WAC MOTOR VEHICLE EXCISE TAX

WAC

308-57-005	Definitions.
308-57-010	Premise for assessing RTA excise tax.
308-57-020	Modified vehicles.
308-57-030	Declaration of value.
308-57-110	RTA excise tax fee schedule.
308-57-140	RTA excise tax exemptions.
308-57-210	RTA excise tax in even dollars.
308-57-230	Fleet abatement.
308-57-240	Nonfleet abatement.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-57-120	Excise tax fee schedules two and six. [Statutory Authority: RCW 46.01.110. 97-12-015, § 308-57-120, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-120, filed 1/29/91, effective 3/1/91.] Repealed by 01-12-099, filed 6/6/01, effective 7/7/01. Statutory Authority: RCW 46.01.110.
308-57-130	Excise tax fee schedule three. [Statutory Authority: RCW 46.01.110. 97-12-015, § 308-57-130, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-130, filed 1/29/91, effective 3/1/91.] Repealed by 01-12-099, filed 6/6/01, effective 7/7/01. Statutory Authority: RCW 46.01.110.
308-57-135	Excise tax fee schedule four. [Statutory Authority: RCW 46.01.110. 97-12-015, § 308-57-135, filed 5/28/97, effective 6/28/97.] Repealed by 01-12-099, filed 6/6/01, effective 7/7/01. Statutory Authority: RCW 46.01.110.
308-57-220	13-month leases. [Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-220, filed 1/29/91, effective 3/1/91.] Repealed by 97-12-015, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110.
308-57-250	Rental car abatement. [Statutory Authority: RCW 46.01.110, 46.16.225 and 1992 c 194. 92-20-049, § 308-57-250, filed 9/30/92, effective 10/31/92.] Repealed by 97-12-015, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110.
308-57-310	Use class and one hundred ten percent rule. [Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-310, filed 1/29/91, effective 3/1/91.] Repealed by 97-12-015, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110.
308-57-320	Trucks and one hundred ten percent rule. [Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-320, filed 1/29/91, effective 3/1/91.] Repealed by 97-12-015, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110.
308-57-410	Appeal process. [Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-410, filed 1/29/91, effective 3/1/91.] Repealed by 97-12-015, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110.

- 308-57-420 Taxes to be paid before appeal. [Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-420, filed 1/29/91, effective 3/1/91.] Repealed by 97-12-015, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110.
- 308-57-430 Effective date for appeals. [Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-430, filed 1/29/91, effective 3/1/91.] Repealed by 97-12-015, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110.
- 308-57-440 Hearings officer. [Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-440, filed 1/29/91, effective 3/1/91.] Repealed by 97-12-015, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110.
- 308-57-500 Personal use motor vehicle excise tax credit—Qualifications. [Statutory Authority: RCW 46.12.225 and 46.01.110. 99-13-151, § 308-57-500, filed 6/21/99, effective 7/22/99.] Repealed by 01-12-099, filed 6/6/01, effective 7/7/01. Statutory Authority: RCW 46.01.110.

WAC 308-57-005 Definitions. The following definitions apply to the terminology used in this chapter:

(1) "RTA excise tax schedule" means the value depreciation table described in RCW 82.44.041(1) for use in the Central Puget Sound Regional Transit Authority area.

(2) "Fleet" means any person with five or more vehicles registered in the same name.

(3) "Light duty truck" means a truck which is smaller than a truck type power unit. The empty scale weight is six thousand pounds or less. It includes vehicles such as pickup trucks, vans, and utility vehicles.

(4) "MSRP" means the base manufacturer's suggested retail price as defined in RCW 82.44.041(3) and 82.50.425.

(5) "Purchase price" means the selling price of the vehicle before deducting for trade-in value or adding sales/use tax.

(6) "Registered within a county" means the county which the vehicle registered owner indicates as their resident address.

(7) "Tax code" means a two-digit alpha, numeric, or alpha-numeric representation of a value assigned by the department of revenue to passenger vehicles, light duty trucks, and motor homes prior to vehicle model year 1986. This value represents the value of the vehicle when first offered for sale. In 1986 and thereafter, the MSRP is used to represent the value of the vehicle.

(8) "Truck type power unit" means trucks as defined in RCW 82.44.010(3). This includes vehicles with FIX (fixed load), or TOW (tow truck) use classes, regardless of scale weight; CMB (combination), COM (commercial), FAR (farm), FCB (farm combination), F/H (for hire), LOG (logging trucks), STA (stage), and TRK (trucks whose empty scale weights exceed six thousand pounds and whose declared gross weight does not exceed twelve thousand pounds) use class.

(9) "Truck type trailing unit" means trailers as defined in RCW 82.44.010(3). This includes trailers with CMB (combination), LOG (logging), and COM (commercial) use classes.

(10) "Value code" means the value which is used to calculate the excise tax. In determining the value code, it may be a tax code, purchase price, assessor's appraisal, or MSRP.

(11) "Regional Transit Authority" or "(RTA)" means the Central Puget Sound Regional Transit Authority or Sound Transit.

[Statutory Authority: RCW 46.01.110. 01-12-099, § 308-57-005, filed 6/6/01, effective 7/7/01; 97-12-015, § 308-57-005, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-005, filed 1/29/91, effective 3/1/91.]

WAC 308-57-010 Premise for assessing RTA excise tax. All trailers and all vehicles where MSRP is not available are taxed according to the most recent purchase price and purchase year and the depreciation rates in the RTA excise tax fee schedule. All other vehicles as noted on the first MSRP, the year of service or value year are taxed using the value of the vehicle and the RTA excise tax fee schedule. Current physical condition, mileage, or monetary value of a particular vehicle is not used to determine excise tax.

[Statutory Authority: RCW 46.01.110. 01-12-099, § 308-57-010, filed 6/6/01, effective 7/7/01; 97-12-015, § 308-57-010, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-010, filed 1/29/91, effective 3/1/91.]

WAC 308-57-020 Modified vehicles. All new or unused vehicles modified by a licensed manufacturer, shall be taxed according to the MSRP provided by the modifying manufacturer plus the cost involved in converting the vehicle. Modified vehicles include, but are not limited to, vans, pickups, utility vehicles and limousines, incomplete vehicles and kits. If the vehicle is modified by someone other than a licensed manufacturer, the original MSRP issued for the vehicle prior to the modifications plus the costs of the modifications shall be used.

[Statutory Authority: RCW 46.01.110. 01-12-099, § 308-57-020, filed 6/6/01, effective 7/7/01; 97-12-015, § 308-57-020, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-020, filed 1/29/91, effective 3/1/91.]

WAC 308-57-030 Declaration of value. If there is no value code for a model year 1985 or older model vehicle and there is no MSRP information available for a model year 1986 or newer model vehicle, the owner may be required to provide a certified declaration of original value and supporting documentation to be used as the basis for assessing the RTA excise tax.

[Statutory Authority: RCW 46.01.110. 01-12-099, § 308-57-030, filed 6/6/01, effective 7/7/01; 97-12-015, § 308-57-030, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-030, filed 1/29/91, effective 3/1/91.]

WAC 308-57-110 RTA excise tax fee schedule. Vehicles with the following use classes are assessed RTA excise tax as defined in RCW 81.104.160:

CAB (taxicab)

COM (commercial) (if powered and the scale weight is six thousand pounds or less)

CYC (motorcycle)

F/H (for hire) (if six or fewer seats or if more than six seats and the scale weight is six thousand pounds or less)

LOG (if powered and under six thousand pounds scale weight or if nonpowered)

MH (motor home)

PAS (passenger)

PER (nonpowered personal use trailer)

STA (stage) (if six or fewer seats or if more than six seats and the scale weight is six thousand pounds or less)

TLR (nonpowered trailer)

TRK (if the scale weight is six thousand pounds or less)

[Statutory Authority: RCW 46.01.110. 01-12-099, § 308-57-110, filed 6/6/01, effective 7/7/01; 97-12-015, § 308-57-110, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-110, filed 1/29/91, effective 3/1/91.]

WAC 308-57-140 RTA excise tax exemptions. The following vehicles are exempt from RTA excise taxes imposed in chapter 81.104 RCW:

(1) Vehicles with tax code 95 (vehicles taxed as personal property, such as mobile homes);

(2) Vehicles with the following use classes:

C/G (converter gear),

CMB (combination),

CMP (campers),

COM (commercial if powered over 6,000 pounds scale weight or commercial nonpowered),

EX (exempt),

FAR (farm),

FCB (farm combination),

FED (federally owned),

FEX (farm exempt),

F/H (for hire if over 6,000 pounds scale weight and more than six seats),

FIX (fixed load),

H/C (horseless carriage),

H/D (house moving dolly),

LOG (if powered and over 6,000 pounds scale weight),

MOB (mobile home),

PED (moped),

ORV (off road vehicle),

RES (restored),

SCH (private school),

SNO (snowmobile), or

SNX (exempt snowmobile),

STA (stage if over 6,000 pounds scale weight and more than six seats),

TOW (tow trucks),

TRK (if over 6,000 pounds scale weight and 12,000 pounds or less gross weight),

TVL (travel trailer);

(3) Vehicles registered under WAC 308-96A-050, (non-resident members of the armed forces);

(4) Vehicles registered under WAC 308-96A-400, (Indian tribes and tribal members);

(5) Vehicles registered under WAC 308-96A-046, (disabled American veterans or former prisoner of war);

(6) Vehicles registered under WAC 308-96A-180, (rental cars);

(7) Passenger motor vehicles registered under WAC 308-96A-175 and 308-96A-176, ride-sharing and transportation needs ride-sharing vehicles;

(8) Vehicles registered under WAC 308-96A-063, Foreign organization special license plate;

(9) Vehicles registered under RCW 46.16.305, Medal of Honor recipients.

[Statutory Authority: RCW 46.01.110. 01-12-099, § 308-57-140, filed 6/6/01, effective 7/7/01; 97-12-015, § 308-57-140, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-140, filed 1/29/91, effective 3/1/91.]

(2007 Ed.)

WAC 308-57-210 RTA excise tax in even dollars. RTA excise taxes are rounded to the nearest whole dollar.

[Statutory Authority: RCW 46.01.110. 01-12-099, § 308-57-210, filed 6/6/01, effective 7/7/01; 97-12-015, § 308-57-210, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-210, filed 1/29/91, effective 3/1/91.]

WAC 308-57-230 Fleet abatement. A fleet vehicle, which is required to have a December registration expiration date, will be charged RTA excise tax based on the current depreciation rate for the number of months required to license through December 31 of the current year. If the number of months to December 31 is fewer than four, an additional twelve months RTA excise tax will be charged at the current depreciation rate.

[Statutory Authority: RCW 46.01.110. 01-12-099, § 308-57-230, filed 6/6/01, effective 7/7/01; 97-12-015, § 308-57-230, filed 5/28/97, effective 6/28/97; 92-15-024, § 308-57-230, filed 7/6/92, effective 8/6/92. Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-230, filed 1/29/91, effective 3/1/91.]

WAC 308-57-240 Nonfleet abatement. With department approval, the owner of a nonfleet vehicle may change the vehicle's registration expiration date. The owner will be assessed RTA excise tax based on the current depreciation rate for the number of months from the current expiration to the requested expiration date. The new expiration date must be greater than twelve months but not more than eighteen months from the current registration expiration date. New expiration dates may only be granted when validation tabs for the desired month and year are available.

[Statutory Authority: RCW 46.01.110. 01-12-099, § 308-57-240, filed 6/6/01, effective 7/7/01; 97-12-015, § 308-57-240, filed 5/28/97, effective 6/28/97. Statutory Authority: RCW 46.01.110 and 43.17.060. 91-04-026, § 308-57-240, filed 1/29/91, effective 3/1/91.]

Chapter 308-61 WAC

UNAUTHORIZED AND ABANDONED VEHICLES

WAC

308-61-026

Definitions—Registered tow truck operator.

308-61-105

Application.

308-61-108

Miscellaneous licensing provisions.

308-61-115

Identification of licensee's vehicles.

308-61-125

Business hours.

308-61-135

Miscellaneous provisions.

308-61-145

Specifications and posting of signs.

308-61-158

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308-61-168

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308-61-175

Procedures for selling vehicles.

308-61-185

Lien provisions.

308-61-190

After sale.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-61-010

Definitions—General. [Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-010, filed 1/6/86. Statutory Authority: RCW 46.52.115 and 46.80.140. 82-12-037 (Order DOL 683), § 308-61-010, filed 5/27/82. Statutory Authority: RCW 46.52.115. 79-10-012 (Order 554-DOL), § 308-61-010, filed 9/7/79; Order MV 451, § 308-61-010, filed 9/26/77; Order MV 174, § 308-61-010, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.

308-61-015

Definitions—Vehicles. [Order MV 451, § 308-61-015, filed 9/26/77; Order MV 174, § 308-61-015, filed 10/19/73.] Repealed by 79-10-010 (Order 552-DOL), filed 9/7/79. Statutory Authority: RCW 46.79.080.

308-61-020	Definitions—Persons subject to regulation. [Order MV 451, § 308-61-020, filed 9/26/77; Order MV 174, § 308-61-020, filed 10/19/73.] Repealed by 79-10-010 (Order 552-DOL), filed 9/7/79. Statutory Authority: RCW 46.79.080.	308-61-140	Registered disposers—Procedures after sale. [Statutory Authority: RCW 46.80.140, 79-10-011 (Order 553-DOL), § 308-61-140, filed 9/7/79; Order MV 174, § 308-61-140, filed 10/19/73.] Repealed by 86-03-011 (Order DLR-088), filed 1/6/86. Statutory Authority: Chapter 46.55 RCW.
308-61-025	Definitions. [Statutory Authority: Chapter 46.55 RCW, 86-03-011 (Order DLR-088), § 308-61-025, filed 1/6/86. Statutory Authority: RCW 46.52.115, 79-10-012 (Order 554-DOL), § 308-61-025, filed 9/7/79; Order MV 451, § 308-61-025, filed 9/26/77; Order MV 174, § 308-61-025, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.	308-61-150	Registered disposers—Grounds for denial, suspension, revocation—Unlawful practices. [Order MV 174, § 308-61-150, filed 10/19/73.] Repealed by 86-03-011 (Order DLR-088), filed 1/6/86. Statutory Authority: Chapter 46.55 RCW.
308-61-027	Normal or regular business hours. [Order MV 451, § 308-61-027, filed 9/26/77.] Repealed by 86-03-011 (Order DLR-088), filed 1/6/86. Statutory Authority: Chapter 46.55 RCW.	308-61-155	Law enforcement procedures for impounding. [Statutory Authority: RCW 46.52.115, 80-02-053 (Order 573-DOL), § 308-61-155, filed 1/16/80. Statutory Authority: RCW 46.80.140, 79-10-011 (Order 553-DOL), § 308-61-155, filed 9/7/79.] Repealed by 86-03-011 (Order DLR-088), filed 1/6/86. Statutory Authority: Chapter 46.55 RCW.
308-61-030	Established place of business. [Statutory Authority: Chapter 46.55 RCW, 86-03-011 (Order DLR-088), § 308-61-030, filed 1/6/86. Statutory Authority: RCW 46.52.115 and 46.80.140, 82-12-037 (Order DOL 683), § 308-61-030, filed 5/27/82; Order MV 451, § 308-61-030, filed 9/26/77; Order MV 174, § 308-61-030, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.	308-61-160	Law enforcement notification stickers. [Statutory Authority: RCW 46.80.140, 79-10-011 (Order 553-DOL), § 308-61-160, filed 9/7/79.] Repealed by 86-03-011 (Order DLR-088), filed 1/6/86. Statutory Authority: Chapter 46.55 RCW.
308-61-035	Segregation of vehicles, required. [Order MV 174, § 308-61-035, filed 10/19/73.] Repealed by 79-10-010 (Order 552-DOL), filed 9/7/79. Statutory Authority: RCW 46.79.080.	308-61-165	Placing vehicles in custody. [Statutory Authority: RCW 46.80.140, 79-10-011 (Order 553-DOL), § 308-61-165, filed 9/7/79.] Repealed by 86-03-011 (Order DLR-088), filed 1/6/86. Statutory Authority: Chapter 46.55 RCW.
308-61-040	Documents supporting acquisition of vehicles. [Statutory Authority: Chapter 46.55 RCW, 86-03-011 (Order DLR-088), § 308-61-040, filed 1/6/86. Statutory Authority: RCW 46.52.115, 79-10-012 (Order 554-DOL), § 308-61-040, filed 9/7/79; Order MV 451, § 308-61-040, filed 9/26/77; Order MV 174, § 308-61-040, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.	308-61-170	Vehicles impounded or taken into custody. [Statutory Authority: RCW 46.80.140, 79-10-011 (Order 553-DOL), § 308-61-170, filed 9/7/79.] Repealed by 86-03-011 (Order DLR-088), filed 1/6/86. Statutory Authority: Chapter 46.55 RCW.
308-61-050	Grounds for denial, suspension, revocation and, in the case of a registered tow truck operator, also a civil fine—Unlawful practices. [Statutory Authority: Chapter 46.55 RCW, 86-03-011 (Order DLR-088), § 308-61-050, filed 1/6/86. Statutory Authority: RCW 46.52.115, 79-10-012 (Order 554-DOL), § 308-61-050, filed 9/7/79; Order MV 174, § 308-61-050, filed 10/19/73.] Repealed by 88-06-025 (Order DLR 164), filed 2/25/88. Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080.	308-61-180	Hearing requests. [Statutory Authority: RCW 46.80.140, 79-10-011 (Order 553-DOL), § 308-61-180, filed 9/7/79.] Repealed by 86-03-011 (Order DLR-088), filed 1/6/86. Statutory Authority: Chapter 46.55 RCW.
308-61-100	Registered disposers—Application. [Statutory Authority: RCW 46.52.115 and 46.80.140, 82-12-037 (Order DOL 683), § 308-61-100, filed 5/27/82. Statutory Authority: RCW 46.52.115, 79-10-012 (Order 554-DOL), § 308-61-100, filed 9/7/79; Order MV 174, § 308-61-100, filed 10/19/73.] Repealed by 86-03-011 (Order DLR-088), filed 1/6/86. Statutory Authority: Chapter 46.55 RCW.	308-61-200	Wreckers—Application for license. [Statutory Authority: RCW 46.80.140 and 46.79.080, 82-12-038 (Order DOL 684), § 308-61-200, filed 5/27/82. Statutory Authority: RCW 46.80.140, 79-10-011 (Order 553-DOL), § 308-61-200, filed 9/7/79; Order MV 174, § 308-61-200, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
308-61-110	Registered disposers—General procedures and requirements. [Statutory Authority: RCW 46.52.115 and 46.80.140, 82-12-037 (Order DOL 683), § 308-61-110, filed 5/27/82. Statutory Authority: RCW 46.52.115, 80-02-053 (Order 573-DOL), § 308-61-110, filed 1/16/80; 79-10-012 (Order 554-DOL), § 308-61-110, filed 9/7/79; Order MV 451, § 308-61-110, filed 9/26/77; Order MV 174, § 308-61-110, filed 10/19/73.] Repealed by 86-03-011 (Order DLR-088), filed 1/6/86. Statutory Authority: Chapter 46.55 RCW.	308-61-205	Expiration of motor vehicle wrecker's license. [Statutory Authority: 1985 c 109 §§ 2, 4, 6 and 8, RCW 46.80.140, 46.70.080 [46.79.080], 46.70.160, 46.76.070 and 46.16.225, 86-08-028 (Order DLR-091), § 308-61-205, filed 3/26/86.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
308-61-120	Registered disposers—Procedures for taking custody. [Statutory Authority: RCW 46.52.115 and 46.80.140, 82-12-037 (Order DOL 683), § 308-61-120, filed 5/27/82. Statutory Authority: RCW 46.52.115, 79-10-012 (Order 554-DOL), § 308-61-120, filed 9/7/79; Order MV 174, § 308-61-120, filed 10/19/73.] Repealed by 86-03-011 (Order DLR-088), filed 1/6/86. Statutory Authority: Chapter 46.55 RCW.	308-61-210	Wreckers—Special plates. [Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080, 88-06-025 (Order DLR 164), § 308-61-210, filed 2/25/88. Statutory Authority: RCW 46.80.140 and 46.79.080, 82-12-038 (Order DOL 684), § 308-61-210, filed 5/27/82. Statutory Authority: RCW 46.80.140, 79-10-011 (Order 553-DOL), § 308-61-210, filed 9/7/79; Order MV 174, § 308-61-210, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
308-61-130	Registered disposers—Procedures for sale. [Statutory Authority: RCW 46.52.115 and 46.80.140, 82-12-037 (Order DOL 683), § 308-61-130, filed 5/27/82. Statutory Authority: RCW 46.80.140, 79-10-011 (Order 553-DOL), § 308-61-130, filed 9/7/79; Order MV 451, § 308-61-130, filed 9/26/77; Order MV 174, § 308-61-130, filed 10/19/73.] Repealed by 86-03-011 (Order DLR-088), filed 1/6/86. Statutory Authority: Chapter 46.55 RCW.	308-61-220	Wreckers—General procedures and requirements. [Statutory Authority: RCW 46.79.080 and 46.80.140, 87-01-005 (Order DLR-112), § 308-61-220, filed 12/5/86; 82-12-038 (Order DOL 684), § 308-61-220, filed 5/27/82. Statutory Authority: RCW 46.80.140, 79-10-011 (Order 553-DOL), § 308-61-220, filed 9/7/79; Order MV 174, § 308-61-220, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
		308-61-230	Wreckers—Procedures for acquiring vehicles and vehicle parts. [Statutory Authority: RCW 46.55.190, 90-01-060, § 308-61-230, filed 12/18/89, effective 1/18/90. Statutory Authority: RCW 46.80.140, 79-10-011 (Order 553-DOL), § 308-61-230, filed 9/7/79; Order MV 451, § 308-61-230, filed 9/26/77; Order MV 174, § 308-61-230, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
		308-61-240	Wreckers—Records and procedures for monthly reports. [Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080, 88-06-025 (Order DLR 164), § 308-61-240, filed 2/25/88. Statutory Authority: RCW 46.80.140 and 46.79.080, 82-12-038 (Order DOL 684),

- § 308-61-240, filed 5/27/82; Order MV 451, § 308-61-240, filed 9/26/77; Order MV 174, § 308-61-240, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-250 Wreckers—Must furnish bill of sale for parts. [Order MV 451, § 308-61-250, filed 9/26/77; Order MV 174, § 308-61-250, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-260 Wreckers—Selling used vehicles. [Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080. 88-06-025 (Order DLR 164), § 308-61-260, filed 2/25/88. Statutory Authority: RCW 46.80.140 and 46.79.080. 82-12-038 (Order DOL 684), § 308-61-260, filed 5/27/82. Statutory Authority: RCW 46.80.140. 79-10-011 (Order 553-DOL), § 308-61-260, filed 9/7/79; Order MV 174, § 308-61-260, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-270 Wreckers—Additional grounds for denial, suspension, revocation or civil fine assessment—Unlawful practices. [Statutory Authority: RCW 46.80.140 and 46.79.080. 82-12-038 (Order DOL 684), § 308-61-270, filed 5/27/82. Statutory Authority: RCW 46.80.140. 79-10-011 (Order 553-DOL), § 308-61-270, filed 9/7/79; Order MV 451, § 308-61-270, filed 9/26/77; Order MV 174, § 308-61-270, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-300 Hulk hauler—Application for license. [Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-300, filed 9/7/79; Order MV 451, § 308-61-300, filed 9/26/77; Order MV 174, § 308-61-300, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-305 Expiration of hulk hauler license. [Statutory Authority: 1985 c 109 §§ 2, 4, 6 and 8, RCW 46.80.140, 46.70.080 [46.79.080], 46.70.160, 46.76.070 and 46.16.225. 86-08-028 (Order DLR-091), § 308-61-305, filed 3/26/86.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-310 Hulk hauler—Special plates. [Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-310, filed 9/7/79; Order MV 451, § 308-61-310, filed 9/26/77; Order MV 174, § 308-61-310, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-320 Hulk hauler—General procedures and requirements. [Statutory Authority: RCW 46.80.140 and 46.79.080. 82-12-038 (Order DOL 684), § 308-61-320, filed 5/27/82. Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-320, filed 9/7/79; Order MV 451, § 308-61-320, filed 9/26/77; Order MV 174, § 308-61-320, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-330 Hulk hauler—Procedures for acquiring and selling vehicles. [Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080. 88-06-025 (Order DLR 164), § 308-61-330, filed 2/25/88. Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-330, filed 9/7/79; Order MV 174, § 308-61-330, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-340 Hulk hauler—Grounds for denial, suspension, revocation—Unlawful practices. [Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-340, filed 9/7/79; Order MV 174, § 308-61-340, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-400 Scrap processor—Application for license. [Statutory Authority: 1985 c 109 §§ 2, 4, 6 and 8, RCW 46.80.140, 46.70.080 [46.79.080], 46.70.160, 46.76.070 and 46.16.225. 86-08-028 (Order DLR-091), § 308-61-400, filed 3/26/86. Statutory Authority: RCW 46.80.140 and 46.79.080. 82-12-038 (Order DOL 684), § 308-61-400, filed 5/27/82. Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-400, filed 9/7/79; Order MV 174, § 308-61-400, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-405 Expiration of scrap processor license. [Statutory Authority: 1985 c 109 §§ 2, 4, 6 and 8, RCW 46.80.140, 46.70.080 [46.79.080], 46.70.160, 46.76.070 and 46.16.225. 86-08-028 (Order DLR-091), § 308-61-405, filed 3/26/86.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-410 Scrap processor—Special plates. [Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-410, filed 9/7/79; Order MV 451, § 308-61-410, filed 9/26/77; Order MV 174, § 308-61-410, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-420 Scrap processor—General procedures and requirements. [Statutory Authority: RCW 46.79.080 and 46.80.140. 87-01-005 (Order DLR-112), § 308-61-420, filed 12/5/86; 82-12-038 (Order DOL 684), § 308-61-420, filed 5/27/82. Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-420, filed 9/7/79; Order MV 174, § 308-61-420, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-430 Scrap processor—Procedures for acquiring vehicles for demolition. [Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080. 88-06-025 (Order DLR 164), § 308-61-430, filed 2/25/88. Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-430, filed 9/7/79; Order MV 174, § 308-61-430, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-440 Scrap processor—Procedures for monthly reports. [Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-440, filed 9/7/79; Order MV 174, § 308-61-440, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-450 Scrap processor—Grounds for denial, suspension, revocation—Unlawful practices. [Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-450, filed 9/7/79; Order MV 174, § 308-61-450, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.

WAC 308-61-026 Definitions—Registered tow truck operator. (1) "Affidavit of sale" - that document prescribed by the department and given to the successful bidder by the operator. The affidavit must state that the sale was conducted properly pursuant to chapter 46.55 RCW and must be notarized. The affidavit may be submitted to the department with an application for certificate of title or may be used as a title document by a licensed auto wrecker, hulk hauler or scrap processor.

(2) "Secure area" - a place of safety for vehicle storage and in an area completely enclosed by a fence of sufficient height and construction to prevent access by the general public, with a gate which can be locked. The fence must be at least six feet high with at least two strands of barbed wire along the top, for a total combined height of eight feet or more. Concertina wire may be substituted for the two strands of barbed wire. The fencing requirement may be waived by the department where, due to the topography or zoning, a fence would be impracticable and the storage area is secure without a fence. Storage within an enclosed building will be considered secure and does not require a waiver. When a licensee has operator registrations under more than one name and owns or leases a common secure area, the areas for each

operator registration must be segregated by a six-foot fence which will not require barbed wire. When two or more operators with different ownership share a secured area, those respective areas must be segregated by an eight-foot fence as described above.

Wherever practicable secure storage areas will be located on improved property which is graded and illuminated at night for the safe keeping of stored vehicles.

(3) "Abandoned vehicle report" - is that document, prescribed by the department, by which the operator is to report to the department their possession of an abandoned vehicle.

(4) "Notice of custody and sale" - is that document, prescribed by the department, and sent by the operator to the registered owner, legal owner (lien holder), lessor and lessee giving notice of the amount of the operator's lien for services, place and time of public auction if the vehicle is not redeemed, and of the operator's right to seek a deficiency against the last registered owner.

(5) "Registered tow truck operator's business location" - is a location at which records and files necessary to conduct the business are kept, and where the operator can normally be contacted by the public.

[Statutory Authority: RCW 46.55.190. 02-20-035, § 308-61-026, filed 9/24/02, effective 10/25/02; 00-01-058, § 308-61-026, filed 12/10/99, effective 1/10/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-61-026, filed 4/6/93, effective 5/7/93; 88-06-025 (Order DLR 164), § 308-61-026, filed 2/25/88. Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-026, filed 1/6/86.]

WAC 308-61-105 Application. What information must be included in an application for registration of a tow truck operator? The application for registration of a tow truck operator must include:

(1) A statement as to whether the applicant has previously been registered as such, and if so, the previous registration number and business name.

(2) A current listing of the towing and storage rates of the operator on a form prescribed by the department.

(3) A certification from the zoning authority of jurisdiction that the licensee is in compliance with any land use ordinances.

[Statutory Authority: RCW 46.55.190. 02-20-035, § 308-61-105, filed 9/24/02, effective 10/25/02; 00-01-058, § 308-61-105, filed 12/10/99, effective 1/10/00. Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-105, filed 1/6/86.]

WAC 308-61-108 Miscellaneous licensing provisions.

(1) Staggered licensing - the annual registration issued to tow truck operators shall expire on the date indicated by the director.

(2) Additional secure areas for vehicle storage - additional storage locations may be operated under one registration. No additional bond or insurance will be required for such premises so long as each is covered by the bond and insurance.

(3) If an operator has more than one registered business location, storage areas for each business location must be listed with the department under its registration.

(4) The department must be notified immediately, on a form provided by the department, of any change of name

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and/or address of any business location or of the addition of any location.

(5) Any change of partners or of corporate officers or members of limited liability companies must be immediately reported to the department in writing. A complete change in ownership requires a new registration except in the case of a corporation or a limited liability company.

(6) An insurer must notify the department at least 10 days prior to cancellation of a policy. Following receipt of such notification the department must notify the registered tow truck operator by ordinary mail of the effective date of the insurance cancellation and that cancellation of the required insurance cancels the operator's registration pursuant to RCW 46.55.030 (3)(b). This notice to the operator shall not affect the cancellation of the registration.

(7) For purposes of RCW 46.55.220, it shall not be necessary to hold a hearing to refuse a registration unless such a hearing is requested.

[Statutory Authority: RCW 46.55.190. 02-20-035, § 308-61-108, filed 9/24/02, effective 10/25/02; 00-01-058, § 308-61-108, filed 12/10/99, effective 1/10/00; 90-01-060, § 308-61-108, filed 12/18/89, effective 1/18/90. Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080. 88-06-025 (Order DLR 164), § 308-61-108, filed 2/25/88. Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-108, filed 1/6/86.]

WAC 308-61-115 Identification of licensee's vehicles.

How must a registered tow truck operator identify its vehicles?

(1) All tow vehicles to be used in the operator's business which are operated on the public highways, must display the licensee's operator number plus the truck number, name, city of address and current business telephone number. Such information must be painted or permanently affixed to both sides of the vehicle. Each letter and numeral must be made with at least a half-inch stroke for the width and must be at least three inches high. See sample:



(2) The annual tow truck permit will be a paper cab card identifying the tow truck as well as indicating the class of truck and the registered tow truck operator.

[Statutory Authority: RCW 46.55.190. 02-20-035, § 308-61-115, filed 9/24/02, effective 10/25/02; 00-01-058, § 308-61-115, filed 12/10/99, effective 1/10/00. Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-115, filed 1/6/86.]

WAC 308-61-125 Business hours. What business hours must a registered tow truck operator maintain?

(1) Business hours, for purposes of inspection of business records, place of business or towing equipment, must be 8:00 a.m. to 5:00 p.m. except for weekends and holidays. Normal business hours must be posted at the operator's place of business.

(2) Whenever an operator is not open for business and does not have personnel present at the licensed location, the operator must post a phone number at that location for purposes of public contact for release of vehicles and/or personal

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property. An operator must maintain personnel who can be contacted 24 hours a day to release impounded vehicles within a 60 minute period of time.

(3) Personal property must be released without charge between the hours of 8:00 a.m. and 5:00 p.m., excepting weekends and holidays.

[Statutory Authority: RCW 46.55.190. 02-20-035, § 308-61-125, filed 9/24/02, effective 10/25/02; 00-01-058, § 308-61-125, filed 12/10/99, effective 1/10/00. Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-125, filed 1/6/86.]

WAC 308-61-135 Miscellaneous provisions. (1) The properly executed written authority to tow or other evidence of lawful possession shall suffice in lieu of current license plates or trip permits for unauthorized or abandoned vehicles.

(2) Billing invoices must indicate the time of day when an unauthorized or abandoned vehicle arrived at the secure storage area.

(3) A seller's report of sale properly filed with the department on a form prescribed by the department shall relieve a registered owner from liability for costs incurred in the removal and storage of an unauthorized/abandoned vehicle, in addition to relieving that person from other liability pursuant to RCW 46.12.101.

(4) The junk vehicle affidavit of sale as described in RCW 46.55.230 may be used to sell a vehicle to a licensed hulk hauler, scrap processor, vehicle wrecking yard or it may be used as a supporting document for issuance of a title.

(5) A stored vehicle may be redeemed any time before the start of auctioning of that particular vehicle.

(6) The notification to be sent by first-class mail within twenty-four hours after the impound must be sent to any lessor or lessee, as well as to the last known registered and legal owner (lien holder) of the vehicle.

(7) The written notice of the right of redemption and opportunity for a hearing to contest the validity of an impoundment, to be sent with the twenty-four hour impoundment notice on an unauthorized vehicle impoundment, must be separate and in addition to the notice of opportunity for a hearing given to those who redeem vehicles.

(8) As the record required in RCW 46.05.150(2) the registered tow truck operator must keep a copy of its twenty-four-hour impound notice to law enforcement.

(9) Information contained in the master log must include:

- (a) The dates of impound and release of vehicles;
- (b) Storage lot used if multiple lots;
- (c) If impound was from public or from private property and the location where the vehicle was impounded;
- (d) Identity of vehicle by year, make, model, license number, and vehicle identification number;
- (e) Dates of all required notices to law enforcement and to vehicle owners;
- (f) Date of auction advertisement and of auction;
- (g) Amount of towing and storage lien;
- (h) Amount of auction proceeds;
- (i) Amount of surplus funds.

Entries on the master log must be made within seventy-two hours following the activity being logged.

[Statutory Authority: RCW 46.55.190. 02-20-035, § 308-61-135, filed 9/24/02, effective 10/25/02; 00-01-058, § 308-61-135, filed 12/10/99, effective 1/10/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.-

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140. 93-08-076, § 308-61-135, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190. 90-01-060, § 308-61-135, filed 12/18/89, effective 1/18/90. Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.-080. 88-06-025 (Order DLR 164), § 308-61-135, filed 2/25/88. Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-135, filed 1/6/86.]

WAC 308-61-145 Specifications and posting of signs.

How is the posting of signs on private and public property handled?

(1) Signs must measure at least 15" by 24" and the lettering thereon must be clearly visible to all who park.

(2) Signs for publicly owned or controlled parking facilities need to disclose that unauthorized vehicles will be impounded and must also disclose a phone number for redeeming a vehicle. If a registered tow truck operator is used, the signs must meet the same requirements as in the posting of private nonresidential property.

[Statutory Authority: RCW 46.55.190. 02-20-035, § 308-61-145, filed 9/24/02, effective 10/25/02; 00-01-058, § 308-61-145, filed 12/10/99, effective 1/10/00. Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-145, filed 1/6/86.]

WAC 308-61-158 Storage of vehicles. How must the registered tow truck operator handle stored vehicles?

(1) Handling and returning vehicles in substantially the same condition means that vehicles are to be handled with care so that their value is not diminished. The operator must not remove parts or equipment which are affixed to the vehicle.

(2) A vehicle being held for storage by agreement or being held under police authority, other than a suspended license impound, or pursuant to a writ or court order shall not be considered abandoned, nor shall it be processed as such. Any storage fees accrued while under agreement or under police hold, other than a suspended license impound, or pursuant to a writ or court order, shall not be included in the abandoned vehicle lien. Upon the expiration of a storage agreement, the lifting of a police hold other than a suspended license impound, or when the writ or court order is no longer in effect, the operator must begin the unauthorized abandoned vehicle processing, including the notification to vehicle owners by first class mail within twenty-four hours.

(3) When vehicles are stored pursuant to a writ or court order, the operator must keep evidence of the inception and termination dates of the writ or court order in the vehicle transaction file.

(4) When a vehicle is being held pursuant to a suspended license impound, and the vehicle is not redeemed even after the payment of a security deposit, and upon expiration of the hold, the operator must send the notice provided in RCW 46.55.110(2) and schedule its auction accordingly.

(5) Vehicles in the custody of an operator must be kept entirely within a secure area owned or operated under that registration.

(6) An operator must not charge for relocating vehicles between separate secure storage areas which he/she owns or operates.

[Statutory Authority: RCW 46.55.190. 02-20-035, § 308-61-158, filed 9/24/02, effective 10/25/02; 00-01-058, § 308-61-158, filed 12/10/99, effective 1/10/00. Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.-080. 88-06-025 (Order DLR 164), § 308-61-158, filed 2/25/88. Statutory

Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-158, filed 1/6/86.]

WAC 308-61-168 Disputed impound. What should the registered tow truck operator do when a court hearing has been requested?

(1) Where a timely request has been made for a district or municipal court hearing and where the vehicle owner has failed to redeem the vehicle, the abandoned vehicle procedural requirements may be followed, but the sale of the vehicle at public auction must not take place until after the court has disposed of the request.

(2) The administrative hearings officer, provided in RCW 46.55.240 (1)(d), shall mean a hearings officer authorized by ordinance or resolution of a city, town or county for the purpose of conducting hearings on disputed vehicle impound cases.

(3) Operators must maintain a trust account solely for the deposit of funds received pending the disposition of any district court hearing requests.

[Statutory Authority: RCW 46.55.190. 02-20-035, § 308-61-168, filed 9/24/02, effective 10/25/02; 00-01-058, § 308-61-168, filed 12/10/99, effective 1/10/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-61-168, filed 4/6/93, effective 5/7/93. Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-168, filed 1/6/86.]

WAC 308-61-175 Procedures for selling vehicles. How should a registered tow truck operator properly identify a vehicle in its custody and prepare for a vehicle auction?

(1) For purposes of advertising the sale of abandoned vehicles the vehicle identification number must be used if no license plates are on the vehicle.

(2) A newspaper of general circulation in the county shall mean a newspaper which is one of three with the largest circulation in the county where the sale will be conducted. The publisher need not reside in that same county.

(3) If a vehicle in the custody of an operator is not identifiable, including no license plates or registration, the operator must conduct an examination of the vehicle only to determine its make, model, year and vehicle identification number which must be included on the abandoned vehicle report to the department.

(4) If the department cannot provide owner information on a vehicle after the operator submits an abandoned vehicle report, the operator may then inspect the vehicle as permitted in RCW 46.55.100(5) to determine whether owner information is within the vehicle.

(5) Upon inspection of the vehicle as provided in subsection (4) of this section the operator may return the original abandoned vehicle report with additional information from the inspection of the vehicle to assist the department in providing owner information.

(6) The department may require an inspection by the appropriate law enforcement agency to verify the vehicle identification number of an unidentified vehicle. All such information must be reported to the department, which will communicate with such other states as may be necessary to determine whether the registered and legal owner information is available for the vehicle.

(7) After all reasonable efforts to obtain the owner information have proved unsuccessful, the vehicle may be dis-

posed of in accordance with all procedures except that the notification to the registered and legal owners by certified or registered mail may be omitted. A record of all steps taken to locate the owner(s) of the vehicle must be kept by the operator for a period of three years.

(8) If the operator elects to bid at auction, that bid must be disclosed as such, and must not merely be an effort to set a minimum for other bids. If an operator is the successful bidder and the bid exceeds the lien for towing and storage, the surplus funds must be remitted to the department just as in any other sale. The operator cannot elect to retain a vehicle at auction because the operator feels that the bidding is insufficient.

(9) The three-hour public viewing period required in RCW 46.55.130(1) must be held at all times during daylight hours.

(10) Auctions may be held on Saturdays or Sundays which are not legal holidays.

[Statutory Authority: RCW 46.55.190. 02-20-035, § 308-61-175, filed 9/24/02, effective 10/25/02; 00-01-058, § 308-61-175, filed 12/10/99, effective 1/10/00; 91-20-121, § 308-61-175, filed 9/30/91, effective 10/31/91. Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080. 88-06-025 (Order DLR 164), § 308-61-175, filed 2/25/88. Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-175, filed 1/6/86.]

WAC 308-61-185 Lien provisions. What charges are proper for the registered tow truck operator to include in the towing and storage lien?

(1) No operator shall include any charges in the amount of the lien that are not specifically authorized. Subordinate charges such as mechanic fees or prior storage fees claimed by the operator or any third party shall not be allowed. All fees must be included in the towing and storage rates and no fees for other services shall be allowed. No fee may be listed on the rate sheet for which there is no provision.

(2) The towing and storage lien shall not apply to personal property not attached to and made an integral part of the vehicle.

(3) No operator shall increase the daily storage rate charged for an unauthorized or abandoned vehicle in his/her custody between the time the vehicle is impounded and then redeemed or auctioned.

[Statutory Authority: RCW 46.55.190. 00-01-058, § 308-61-185, filed 12/10/99, effective 1/10/00; 91-20-121, § 308-61-185, filed 9/30/91, effective 10/31/91; 90-01-060, § 308-61-185, filed 12/18/89, effective 1/18/90. Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-185, filed 1/6/86.]

WAC 308-61-190 After sale. What documentation follows the abandoned vehicle auction and who may claim surplus auction funds?

(1) Following the auction of an abandoned vehicle the operator must give to the successful bidder an affidavit of sale, as defined, which must disclose the amount of the lien and the amount of the successful bid. The public auction shall terminate the ownership interest of prior owners, both registered owners and legal owners.

(2) The following guidelines shall apply in establishing a valid claim for surplus funds which have been remitted to the state as the result of the auctioning of abandoned vehicles pursuant to RCW 46.55.130 (2)(h):

(a) The claiming individual must show reasonable proof of their identity and the claim must be in writing and must be notarized.

(b) The claimant must have been the registered owner of the vehicle as reflected in the records of the department of licensing at the time the vehicle was auctioned. The person indicated as purchaser on a seller's report of sale, pursuant to RCW 46.12.101, will be considered the registered owner of record for purposes of this section.

(3) The fifteen-day title transfer requirement provided for in RCW 46.55.130 (2)(f) shall not apply to properly licensed hulk haulers, scrap processors, and wreckers who have acquired the vehicle for salvage purposes in accordance with chapters 46.79 and 46.80 RCW.

[Statutory Authority: RCW 46.55.190. 04-12-063, § 308-61-190, filed 5/28/04, effective 6/28/04; 02-20-035, § 308-61-190, filed 9/24/02, effective 10/25/02; 00-01-058, § 308-61-190, filed 12/10/99, effective 1/10/00; 90-01-060, § 308-61-190, filed 12/18/89, effective 1/18/90. Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-190, filed 1/6/86.]

Chapter 308-63 WAC WRECKERS

WAC

308-63-010	Definitions—General.
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308-63-030	Established place of business.
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308-63-070	Wreckers—General procedures and requirements.
308-63-080	Vehicle wrecker—Procedures for acquiring vehicles and vehicle parts.
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308-63-120	Statement of change in business structure, ownership interest or control.
308-63-130	Termination of business.
308-63-140	Sale, transfer or other disposition of noncorporate licensee.
308-63-160	Incorporation of licensee while licensed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-63-150	Partial sales transfer or disposition of noncorporate licensee. [Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-150, filed 4/6/93, effective 5/7/93.] Repealed by 00-13-019, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.80.140.
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WAC 308-63-010 Definitions—General. (1) Department - means the department of licensing of the state of Washington.

(2) Director - means the director of the department of licensing.

(3) Destroy - means the dismantling, disassembling or wrecking of a vehicle with the intent of never again operating such as a vehicle, or the sustaining of damage to a vehicle either (a) to the extent that the cost of repairing it exceeds its fair market value immediately prior to the accident or occurrence, or (b) to the extent that the cost of repairing it plus its salvage value in its damaged condition exceeds or approximately equals the market value of the vehicle in its repaired or restored condition.

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(4) Acquire - shall be construed to mean physical custody together with proof of ownership as provided under WAC 308-63-080.

(5) Custody - means the possession of a vehicle that the wrecker owns but for which ownership documents required in WAC 308-63-080 have not been received, or a vehicle placed for safekeeping by a law enforcement officer or others.

(6) Obscure - means to screen the wrecker activity from public view.

[Statutory Authority: RCW 46.80.140. 01-03-141, § 308-63-010, filed 1/24/01, effective 2/24/01. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-010, filed 4/6/93, effective 5/7/93.]

WAC 308-63-020 Definitions. May I acquire a vehicle or a vehicle part on a bill of sale? (1) Bill of sale for acquiring vehicles. A bill of sale shall include the names and addresses of the seller and purchaser; a description of the vehicle being purchased, including the make, model and identification or serial number; the date of purchase; and the purchase price of the vehicle. Bills of sale are acceptable in lieu of title in the cases of:

(a) Vehicles from nontitle jurisdictions;

(b) When an insurance company or private owner has turned in the title to a vehicle previously destroyed as provided under WAC 308-56A-460; or

(c) For vehicles of the type to which titles are not issued.

(2) In the case of vehicle parts a bill of sale from the seller describing the specific part and giving the full name, address and verification of the seller's identity, plus date of sale. In addition, if a major component part is acquired the vehicle identification number from which it came must also be set forth on the bill of sale. A copy of each bill of sale shall be maintained on acquired parts for a period of three years.

[Statutory Authority: RCW 46.80.140. 05-14-093, § 308-63-020, filed 6/30/05, effective 7/31/05; 00-13-019, § 308-63-020, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-020, filed 4/6/93, effective 5/7/93.]

WAC 308-63-030 Established place of business. What is a vehicle wrecker place of business? A vehicle wrecker's established place of business is a building or enclosure which the owner occupies either continuously or at regular intervals; and where the business books and records are kept available for inspection during normal business hours and dismantling of vehicles is accomplished. It must conform with local zoning regulations.

[Statutory Authority: RCW 46.80.140. 05-14-093, § 308-63-030, filed 6/30/05, effective 7/31/05; 00-13-019, § 308-63-030, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-030, filed 4/6/93, effective 5/7/93.]

WAC 308-63-040 Wreckers—Application for license. How must I apply for a vehicle wrecker license? An original or renewal application for a wrecker license shall be filed with the director on the form provided for this purpose. The application must be endorsed by the chief of police of any city with a population over five thousand; otherwise, by a member of the Washington state patrol. The endorsement certifies that the wrecker has an established place of business at the address shown on the application and that the

applicant's vehicle(s) are properly identified in accordance with WAC 308-63-070(5).

Each application shall specify the number of vehicles owned, leased, rented or otherwise operated by the applicant for towing or transportation of vehicles in the conduct of the business. Each endorsement shall identify the vehicle by make, model, year or other adequate description, and identification number.

[Statutory Authority: RCW 46.80.140. 01-03-141, § 308-63-040, filed 1/24/01, effective 2/24/01; 00-13-019, § 308-63-040, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-040, filed 4/6/93, effective 5/7/93.]

WAC 308-63-050 Expiration of motor vehicle wrecker's license. When does my vehicle wrecker license expire? (1) A vehicle wrecker's license shall expire twelve consecutive months from the date of issuance.

(2) Vehicle wrecker license plates shall expire on the same date as the expiration of the license.

[Statutory Authority: RCW 46.80.140. 05-14-093, § 308-63-050, filed 6/30/05, effective 7/31/05; 00-13-019, § 308-63-050, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-050, filed 4/6/93, effective 5/7/93.]

WAC 308-63-060 Vehicle wrecker—Special plates. How do I use the special vehicle wrecker license plates? All vehicles used for towing or transporting vehicles or vehicle parts by a vehicle wrecker on the highways of this state in the conduct of the business shall bear regular license plates and, in addition, special wrecker's plates. Wrecker's plates may be obtained at a fee of six dollars which includes one dollar for reflectorization under RCW 46.16.237 for the first set, and three dollars including reflectorization for each additional set.

The wrecker may purchase sets of plates equal in number to the number of vehicles reported on the application as owned, rented, leased and operated by the applicant for towing or transporting of vehicles or vehicle parts in the conduct of the business. Should the wrecker purchase, lease, or rent additional vehicles for towing or transporting of vehicles, the applicant shall so inform the department and may, at the department's discretion, obtain additional plates for such vehicles.

Each vehicle used for towing or transporting of vehicles or vehicle parts shall display both wrecker plates of the same number. However, when any vehicle being towed does not have valid license plates, the set of wrecker plates may be split, with one being displayed on the front of the towing vehicle and the other on the rear of the vehicle being towed.

[Statutory Authority: RCW 46.80.140. 05-14-093, § 308-63-060, filed 6/30/05, effective 7/31/05; 00-13-019, § 308-63-060, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-060, filed 4/6/93, effective 5/7/93.]

WAC 308-63-070 Wreckers—General procedures and requirements. Vehicle wreckers shall comply with all rules and regulations relative to the handling of vehicle parts or vehicles to be dismantled.

(1) Enclosure. The activities of a vehicle wrecker shall be conducted entirely within the established place of business. A physical barrier shall designate the boundary of the wrecking yard. Where necessary to obscure public view of

the premises, it shall be enclosed by a sight-obscuring wall or fence at least eight feet high.

(a) Where required, such sight-obscuring wall or fence shall be painted or stained in a neutral shade to blend with the surrounding premises. If the fence is made of chain link, it must have sufficient slats or other construction to obscure public view of the premises.

(b) A living hedge of equal height and sufficient density to prevent view of the premises may be substituted for the wall or fence.

(c) All enclosures and barriers shall be kept in good repair.

(d) Reasonable consideration shall be given to the topography of the land by enforcement personnel when inspecting premises for such fence, enclosure or barrier.

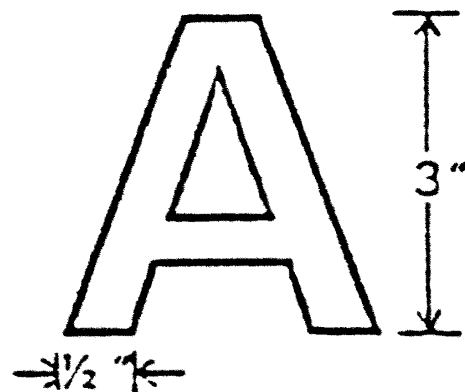
(e) Exceptions to this section must be granted in writing by the department.

(2) Additional places of business. Each licensed vehicle wrecker may maintain one or more additional places of business within the same county, under the same permit. The vehicle wrecker may maintain as many storage yards or sales outlets as needed so long as each is registered with the department. Each wrecking or storage yard shall comply with local zoning regulations and with such other requirements as the department may provide, particularly those in subsection (1) of this section. Duplicate vehicle wrecker's licenses will be issued to be posted at each additional place of business.

(3) Change of address. The department shall be notified immediately of any change of address of any business location or of the addition of any such location.

(4) Display of license certificate. The license certificate of a licensed wrecker shall be displayed conspicuously at each business address and shall be available for periodic inspection by law enforcement officers and authorized representatives of the department.

(5) Identification of licensee's vehicles. All vehicles equipped for lifting or transporting vehicles or vehicle parts which are operated on the highways of this state shall display the licensee's name, the city in which the licensee's established place of business is located, and the current business telephone number of the licensee. Such information shall be painted on or permanently affixed to both sides of the vehicle. Each letter and numeral shall be made with at least a half-inch in solid width and shall be at least three inches high. See example.



(6) License plates from vehicles entered into the wrecking yard shall be removed within twenty-four hours. Plates on vehicles in the segregated area may be left on until the vehicle is entered into the wrecking yard. The wrecker shall destroy such plates prior to submitting the monthly report for the month the vehicle was entered into the wrecking yard.

(7) Major component parts. Under RCW 46.80.010 (5) the term "engines, short blocks, transmissions and drive axles" shall not include cores or parts which are limited to value as scrap metal or for remanufacturing only. The term "seat" shall be interpreted to mean bucket seat. The term "drive axle" means a differential assembly.

(8) Vehicles in custody and awaiting approved ownership documents, as provided under WAC 308-63-080, must be placed in a segregated storage area within the wrecking yard which must be designated by a physical barrier. Vehicles may remain in this area after ownership documents have arrived and the vehicle has been properly entered into the wrecking yard inventory. There will be no dismantling or parts removal in this area. The physical barrier may be portable, made of substantial posts and connected by a chain, cable, or of other equally strong construction.

This area can be used for storage of dealer cars or equipment if the vehicle wrecker is both a vehicle wrecker and a dealer however, there will be no storage of vehicle parts.

[Statutory Authority: RCW 46.80.140, 05-14-093, § 308-63-070, filed 6/30/05, effective 7/31/05; 01-03-141, § 308-63-070, filed 1/24/01, effective 2/24/01; 00-13-019, § 308-63-070, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140, 93-08-076, § 308-63-070, filed 4/6/93, effective 5/7/93.]

WAC 308-63-080 Vehicle wrecker—Procedures for acquiring vehicles and vehicle parts. With what ownership documents may I acquire vehicles or vehicle parts? Supporting acquisition. The vehicle wrecker may acquire vehicles and vehicle parts if the seller can furnish ownership documents as follows:

(1) Certificate of title, including salvage certificates, properly endorsed in the case of vehicles from states issuing a title.

(2) Bills of sale pursuant to WAC 308-63-020(1) for vehicles from nontitle jurisdictions, for vehicles that have had their title surrendered to a state after having been declared a total loss, and for vehicles of the type to which titles are not issued.

(3) Affidavit of lost or stolen title if executed by the registered and legal owner of record.

(4) Insurance company bills of sale pursuant to WAC 308-56A-460(3).

(5) Affidavit of sale of an abandoned vehicle pursuant to WAC 308-61-026(1).

(6) Affidavit of junk vehicle pursuant to RCW 46.55.230.

(7) A court order.

(8) A bill of sale for parts pursuant to WAC 308-63-020(2).

(9) A bill of sale from another licensed vehicle wrecker.

[Statutory Authority: RCW 46.80.140, 05-14-093, § 308-63-080, filed 6/30/05, effective 7/31/05; 00-13-019, § 308-63-080, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140, 93-08-076, § 308-63-080, filed 4/6/93, effective 5/7/93.]

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WAC 308-63-090 Vehicle wrecker—Records and procedures for monthly reports. What records must I keep and how do I handle the monthly report? (1) Wrecker books and files. The wrecker must maintain books and files that contain the following:

(a) A record of each vehicle or part acquired giving:

(i) A description of the vehicle or part by make, model, year, and for major component parts, except core parts, the vehicle identification number and "yard number" assigned at the time the vehicle or major component part was placed in the wrecking yard;

(ii) The date purchased or acquired by the vehicle wrecker, and the name of the person, firm or corporation from which the vehicle or part was obtained;

(iii) The certificate of ownership number if registered in a title state, or registration number if a nontitling state; or description of the document used in lieu of title, such as an affidavit of sale, a bill of sale for a vehicle or vehicle part;

(iv) The name of the state and license number in the state that a vehicle was last registered; and

(v) A statement indicating whether any used car or truck at least six years but not more than twenty years old met the market value threshold amount immediately before it was wrecked, destroyed or damaged, as required by RCW 46.12.070 and WAC 308-56A-460(3). If this statement is not provided, when required, the department will treat the vehicle as if the wrecker indicated that the market value threshold was met when wrecked.

(b) A record of the disposition of the motor, body, and major component parts giving the name of the person purchasing the part(s), if any. Sales to scrap processors must be accompanied by an invoice or bill of sale, listing each vehicle by its yard number. The wrecker must retain a copy of the invoice or bill of sale for purposes of inspection for three years.

These records will be subject to inspection by authorized representatives of the department and law enforcement officials during regular business hours. The information must be entered in the wrecker's records within two business days of the event requiring the entry, such as receipt of a vehicle.

(2) The vehicle wrecker must furnish written reports.

By the tenth of the month following acquisition of vehicles entered into the wrecking yard inventory, each wrecker must submit a report on the form prescribed by the department documenting that the vehicles were acquired and entered into the wrecking yard inventory during the previous month. Vehicles being held in the segregated storage area awaiting ownership documents, under WAC 308-63-070(8), will not be reported. The report must be made in duplicate. The original must be sent to the department and the duplicate retained for the wrecker's files. If no vehicles were acquired during that month, the monthly report must be sent in stating "none." The report must contain information for vehicles only as the wrecker is required to keep by subsection (1)(a)(i), (ii), (iii), (iv), and (v) of this section. The report must be accompanied by properly endorsed certificates of ownership or other adequate evidence of ownership and registration certificates. Records on acquisitions and sales of vehicle parts need not be included in reports submitted to the department but records must be kept for three years from date of purchase and made available for inspection.

(3) **Identity of vehicles in yard.** A yard number must identify all vehicles placed in the wrecking yard. The number must be assigned in the wrecker's records with numerals marked so as to be clearly visible and legible. If a part of a vehicle is sold which has the number on it, the yard number of the vehicle must be remarked in another location on the vehicle.

[Statutory Authority: RCW 46.01.110 and 46.12.101. 06-23-038, § 308-63-090, filed 11/7/06, effective 12/8/06. Statutory Authority: RCW 46.80.140. 05-14-093, § 308-63-090, filed 6/30/05, effective 7/31/05. Statutory Authority: Chapter 46.55 RCW. 02-19-036, § 308-63-090, filed 9/10/02, effective 10/11/02. Statutory Authority: RCW 46.80.140. 00-13-019, § 308-63-090, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-090, filed 4/6/93, effective 5/7/93.]

WAC 308-63-100 Vehicle wrecker—Must furnish bill of sale for parts. What document must I use to sell a vehicle part? No vehicle wrecker may sell a vehicle part unless the vehicle wrecker gives the purchaser a bill of sale for such part. Whenever the vehicle wrecker sells a motor, frame, or other major component part, except for a core part, the bill of sale must describe the part fully, giving make, model, year, and vehicle identification number or yard number of the vehicle from which the part was taken.

No vehicle wrecker may sell vehicles to a scrap processor or to a hulk hauler for transportation to a scrap processor without giving the scrap processor or the hulk hauler an invoice or bill of sale listing each vehicle by yard number. The vehicle wrecker shall retain a copy of such invoices for inspection purposes.

[Statutory Authority: RCW 46.80.140. 05-14-093, § 308-63-100, filed 6/30/05, effective 7/31/05; 01-03-141, § 308-63-100, filed 1/24/01, effective 2/24/01; 00-13-019, § 308-63-100, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-100, filed 4/6/93, effective 5/7/93.]

WAC 308-63-110 Vehicle wrecker—Selling used vehicles. Where do I store inoperable vehicles that I acquire for sale under my vehicle dealer license? (1) All vehicles acquired for sale under a vehicle dealer's license which are inoperable at the time of acquisition shall be kept inside the wrecking yard and shall be segregated from the remainder of the operation by a continuous physical barrier.

(2) "Inoperable" as used in this section shall mean a vehicle which does not comply with requirements for vehicles used on public streets with regard to brakes, lights, tires, safety glass and other safety equipment. However, for purposes of this section, inoperable shall not include a requirement to be currently licensed.

[Statutory Authority: RCW 46.80.140. 05-14-093, § 308-63-110, filed 6/30/05, effective 7/31/05; 00-13-019, § 308-63-110, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-110, filed 4/6/93, effective 5/7/93.]

WAC 308-63-120 Statement of change in business structure, ownership interest or control. When must I report a change? Any person, firm, association, corporation or trust licensed under chapter 46.80 RCW must, within ten days following any change in its business or ownership structure, file a statement describing with particularity the change in its business structure or the change in ownership interest.

[Title 308 WAC—p. 184]

[Statutory Authority: RCW 46.80.140. 00-13-019, § 308-63-120, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-120, filed 4/6/93, effective 5/7/93.]

WAC 308-63-130 Termination of business. If I terminate my business, must I surrender my vehicle wrecker license? A vehicle wrecker who terminates business shall, within ten days of such termination return the vehicle wrecker license and special license plates to the department for cancellation.

[Statutory Authority: RCW 46.80.140. 05-14-093, § 308-63-130, filed 6/30/05, effective 7/31/05; 00-13-019, § 308-63-130, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-130, filed 4/6/93, effective 5/7/93.]

WAC 308-63-140 Sale, transfer or other disposition of noncorporate licensee. What must I do if there is a change of ownership in my noncorporate license? Upon the sale, transfer or other disposition of an ownership interest in a noncorporate licensee:

(1) A new bond or rider to the bond revealing the change in ownership shall be filed with the department.

(2) A new application for an appropriate license by the purchaser or transferee is required and the fee will be the same as for an original application.

(3) The former owner must surrender to the department the special license plates. The new owners or transferees must purchase new plates in their own name.

[Statutory Authority: RCW 46.80.140. 00-13-019, § 308-63-140, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-140, filed 4/6/93, effective 5/7/93.]

WAC 308-63-160 Incorporation of licensee while licensed. If my business is not a corporation, what do I do if I incorporate? A licensee which incorporates while licensed:

(1) Shall file an application for an appropriate license.

(2) Shall file a new bond with the department.

(3) The firm may request the preincorporation license number upon application.

[Statutory Authority: RCW 46.80.140. 00-13-019, § 308-63-160, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-160, filed 4/6/93, effective 5/7/93.]

Chapter 308-65 WAC

HULK HAULERS/SCRAP PROCESSORS

WAC

308-65-010	Definitions—General.
308-65-020	Definitions.
308-65-030	Established place of business.
308-65-040	Hulk hauler—Application for license.
308-65-050	Expiration of hulk hauler license.
308-65-060	Hulk hauler—Special plates.
308-65-070	Hulk hauler—General procedures and requirements.
308-65-080	Hulk hauler—Procedures for acquiring and selling vehicles.
308-65-090	Scrap processor—Application for license.
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308-65-110	Scrap processor—Special plates.
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308-65-140	Scrap processor—Procedures for monthly reports.
308-65-150	Statement of change in business structure, ownership interest or control.

308-65-160	Termination of business.
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308-65-190	Incorporation of licensee while licensed.

**DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER**

308-65-180	Partial sales transfer or disposition of noncorporate licensee. [Statutory Authority: RCW 46.55.190, 46.79.-080 and 46.80.140. 93-08-076, § 308-65-180, filed 4/6/93, effective 5/7/93.] Repealed by 00-13-020, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.79.080.
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WAC 308-65-010 Definitions—General. Demolish. To demolish means the rendering of vehicle salvage into recyclable metals, for example, by means of a hydraulic baler and shears or a shredder operated by a licensed scrap processor.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-010, filed 4/6/93, effective 5/7/93.]

WAC 308-65-020 Definitions. (1) Bill of sale for acquiring vehicles. A bill of sale shall include the names and addresses of the seller and purchaser; a description of the vehicle or part being sold, including the make, model and identification or serial number; the date of sale; and the purchase price of the vehicle. Bills of sale are acceptable in lieu of title in the cases of:

- (a) Vehicles from nontitle jurisdictions;
 - (b) When an insurance company or private owner has turned in the title to a vehicle previously destroyed as provided under WAC 308-56A-460; or
 - (c) For vehicles of the type to which titles are not issued.
- (2) In the case of vehicle parts a bill of sale from the seller describing the specific part and giving the full name, address and verification of the seller's identity, plus date of sale. In addition, if a major component part is acquired the vehicle identification number from which it came must also be set forth on the bill of sale. A copy of each bill of sale shall be maintained on acquired parts for a period of three years.

[Statutory Authority: RCW 46.79.080. 00-13-020, § 308-65-020, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-020, filed 4/6/93, effective 5/7/93.]

WAC 308-65-030 Established place of business. What must I do for a place of business? (1) Hulk hauler. A hulk hauler's established place of business is an address at which the hulk hauler receives mail and can normally be reached.

(2) Scrap processor. A scrap processor's established place of business is a place where (a) vehicles may be stored lawfully, (b) hydraulic balers, shears or shredders or other equipment for recycling vehicle salvage may be used lawfully, and (c) there is a building in which the scrap processor's license is conspicuously displayed and where all records required of the scrap processor are available for inspection.

[Statutory Authority: RCW 46.79.080. 00-13-020, § 308-65-030, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-030, filed 4/6/93, effective 5/7/93.]

(2007 Ed.)

WAC 308-65-040 Hulk hauler—Application for license. How must I apply for the hulk hauler license?

The application for a hulk hauler's license shall be made on the form provided by the department and shall include, in addition to any other information the department may require, and in addition to the provisions of RCW 46.79.030:

- (1) A statement regarding whether or not the applicant has ever previously had a license as a hulk hauler denied, suspended, or revoked and on what dates and what grounds.
- (2) A certification from a member of the Washington state patrol that his/her vehicle(s) are properly identified in accordance with WAC 308-65-070(5).

The license may be renewed prior to the expiration date by filing a renewal application, securing a signature of the appropriate member of the Washington state patrol on his/her application, and paying a renewal fee of ten dollars.

[Statutory Authority: RCW 46.79.080. 00-13-020, § 308-65-040, filed 6/12/00, effective 7/13/00; 94-12-052, § 308-65-040, filed 5/27/94, effective 6/27/94. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-040, filed 4/6/93, effective 5/7/93.]

WAC 308-65-050 Expiration of hulk hauler license.

When will my license expire? (1) A hulk hauler's license shall expire twelve consecutive months from the date of issuance for purposes of staggered licensing.

(2) Motor vehicle hulk hauler license plates shall expire on the same date as the expiration of the license.

[Statutory Authority: RCW 46.79.080. 00-13-020, § 308-65-050, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-050, filed 4/6/93, effective 5/7/93.]

WAC 308-65-060 Hulk hauler—Special plates. How must I display the hulk hauler license plates?

All vehicles used by hulk haulers on the highways of this state shall bear regular license plates and in addition, special hulk hauler's plates. Each vehicle shall display both special plates assigned to it, provided that when any vehicle being towed does not have valid license plates, the hulk hauler plates may be split, with one being displayed on the front of the towing vehicle and the other on the rear of the vehicle being towed. The plates serve in lieu of a trip permit or current license plates for the vehicle(s) being transported.

The plates may be obtained at a fee of six dollars for the first set, and three dollars for each additional set which charges include the reflectorization fee required by RCW 46.16.237.

[Statutory Authority: RCW 46.79.080. 00-13-020, § 308-65-060, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-060, filed 4/6/93, effective 5/7/93.]

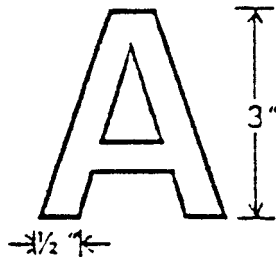
WAC 308-65-070 Hulk hauler—General procedures and requirements. Hulk haulers shall comply with all statutes, rules and regulations relative to the handling of vehicles and vehicle hulks.

- (1) Change of address. The department shall be notified immediately of any change of mailing address.
- (2) License certificate. The license certificate shall be carried in the vehicles operated by hulk haulers. If a hulk hauler operates more than one vehicle he/she shall request additional license certificates for each vehicle. Such certi-

cates shall also be carried for inspection by law enforcement officers.

(3) Inspection of transport vehicle. Prior to the issuance of a hulk hauler license the vehicle to be used in transporting vehicle salvage must be inspected by the appropriate law enforcement official to verify compliance with safety requirements applying to transportation of vehicle salvage on the highways of the state.

(4) Identification of licensee's vehicles. All vehicles equipped for lifting or transporting vehicles or hulks which are operated on the highways of this state shall display the licensee's name, mailing address, and current business telephone number of such licensee. Such information shall be painted on or permanently affixed to both sides of the vehicle. Each letter and numeral shall be made with at least a half-inch stroke for the width and shall be at least three inches high. See example.



[Statutory Authority: RCW 46.79.080, 94-12-052, § 308-65-070, filed 5/27/94, effective 6/27/94. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140, 93-08-076, § 308-65-070, filed 4/6/93, effective 5/7/93.]

WAC 308-65-080 Hulk hauler—Procedures for acquiring and selling vehicles. On what ownership documents may I buy and sell vehicles/hulks? (1) Supporting acquisition for transport, resale. The hulk hauler may acquire vehicles or hulks for transport and resale to a licensed motor vehicle wrecker or scrap processor upon obtaining ownership documents in the form of a certificate of title properly endorsed, from a state issuing a title, or a certificate of registration and notarized bill of sale from a jurisdiction issuing only a registration certificate or other approved ownership documents as follows:

(a) Affidavit of lost or stolen title signed by the owner on record with the department, and release of interest from the owner.

(b) Affidavit of sale of a junk vehicle from the landowner who has complied with RCW 46.55.230.

(c) Affidavit of sale from a registered tow truck operator.

(d) A court order.

(e) Acquisition from wreckers licensed by the department may be supported by obtaining the wrecker's invoice or bill of sale listing each vehicle by the wrecker's "yard number." Such invoice or bill of sale shall be given to the scrap processor or vehicle wrecker purchasing the vehicles listed therein.

(f) Bills of sale pursuant to WAC 308-63-020 for vehicles from nontitle jurisdictions that have had their titles surrendered to a state after having been declared a total loss and for vehicles of the type to which titles are not issued.

(2) Must possess supporting documentation. Before a hulk hauler may transport any vehicle for resale, he/she shall

have in his/her possession ownership documents to support lawful acquisition or possession, as enumerated in subsection (1) of this section. Such documentation shall be in his/her possession at all times while the vehicle is transported.

(3) Handling vehicles. A hulk hauler may not operate as a wrecker or remove parts from vehicles, provided that the hulk hauler may remove the parts necessary to sell vehicle salvage to a licensed scrap processor, e.g., the upholstery, gasoline tank, and tires, so long as such parts are removed on the premises of a licensed wrecker or scrap processor where prior permission is granted or at a location approved by the department.

(4) May sell to licensed wreckers and scrap processors. Vehicles in the possession of a licensed hulk hauler may only be sold to a licensed wrecker or scrap processor.

[Statutory Authority: RCW 46.79.080, 00-13-020, § 308-65-080, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140, 93-08-076, § 308-65-080, filed 4/6/93, effective 5/7/93.]

WAC 308-65-090 Scrap processor—Application for license. How must I apply for a scrap processor license?

The application for a scrap processor's license shall contain, in addition to any other information the department may require, evidence the application is approved by the local government planning and zoning authorities pursuant to the provisions of the State Environmental [Policy] Act, chapter 43.21C RCW.

[Statutory Authority: RCW 46.79.080, 00-13-020, § 308-65-090, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140, 93-08-076, § 308-65-090, filed 4/6/93, effective 5/7/93.]

WAC 308-65-100 Expiration of scrap processor license. When does my license expire? (1) A scrap processor's license shall expire twelve consecutive months from the date of issuance.

(2) Any special license plates issued to a scrap processor shall expire on the same date as the expiration of the license.

[Statutory Authority: RCW 46.79.080, 00-13-020, § 308-65-100, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140, 93-08-076, § 308-65-100, filed 4/6/93, effective 5/7/93.]

WAC 308-65-110 Scrap processor—Special plates. What special license plates are available?

Vehicles owned or operated on the highways of this state by a scrap processor and used by the scrap processor in gathering vehicle hulks or salvage shall bear regular license plates and, in addition, hulk hauler plates. Such plates serve in lieu of a trip permit or current license for any vehicle being transported. Each vehicle shall display all plates issued to it.

The plates may be obtained at a fee of six dollars for the first set, and three dollars for each additional set including the reflectorization fee required by RCW 46.16.237; they expire simultaneously with the scrap processor's license.

[Statutory Authority: RCW 46.79.080, 00-13-020, § 308-65-110, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140, 93-08-076, § 308-65-110, filed 4/6/93, effective 5/7/93.]

WAC 308-65-120 Scrap processor—General procedures and requirements. All scrap processors shall comply with all statutes, rules and regulations relative to the demolition of vehicles and vehicle hulks.

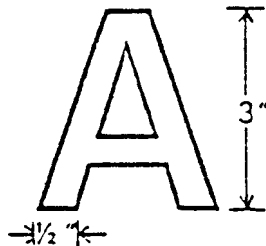
(1) Change of address. The department shall be notified immediately of any change of address of any business location or of the addition of any such location.

(2) Display of license certificate. The license certificate of the scrap processor shall be displayed conspicuously at the business address shown on the application and shall be available for inspection by law enforcement officers and authorized representatives of the department.

(3) Inspection of premises. The premises of the scrap processor shall be subject to periodic inspection by appropriate law enforcement officers and authorized representatives of the department.

(4) Destroying of license plates. All license plates coming into the possession of the scrap processor shall be destroyed by the scrap processor prior to forwarding the monthly report to the department under RCW 46.79.020.

(5) Identification of licensee's vehicles. All vehicles equipped for lifting or transporting vehicles or hulks shall display the licensee's name, address and current telephone number. Such information shall be painted on or permanently affixed to both sides of the vehicle. Each letter and numeral shall be made with at least a half-inch stroke for the width and shall be at least three inches high. See example.



[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-120, filed 4/6/93, effective 5/7/93.]

WAC 308-65-130 Scrap processor—Procedures for acquiring vehicles for demolition. On what ownership documents may I acquire vehicles? Supporting acquisition. A scrap processor may acquire vehicles for demolition if the transferor can furnish ownership documents, in the form of a certificate of title properly endorsed, from a state issuing a title, or a certificate of registration and notarized bill of sale from a jurisdiction issuing a registration certificate only or other approved ownership documents as follows:

(1) Affidavit of lost or stolen title and release of interest from the owner.

(2) Affidavit of sale of a junk vehicle from the landowner who has complied with RCW 46.55.230.

(3) Bills of sale pursuant to WAC 308-63-020 for vehicles from nontitle jurisdictions, for vehicles that have had their titles surrendered to a state after having been declared a total loss, and for vehicles of the type to which titles are not issued.

(4) Affidavit of sale from a registered tow truck operator.

(5) A court order.

(6) Invoice or bill of sale from wrecker.

(7) Scrap processors may acquire vehicle salvage from out-of-state provided that the out-of-state salvage company submits an affidavit certifying its rightful and true possession of the vehicles or parts contained in the bulk shipment and

that he/she has complied with all statutes, rules and regulations relating to such vehicles in the state or province of origin.

(8) Vehicle parts may be acquired by use of an invoice or bill of sale which describes the part and identifies the seller by name and address.

[Statutory Authority: RCW 46.79.080. 00-13-020, § 308-65-130, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-130, filed 4/6/93, effective 5/7/93.]

WAC 308-65-140 Scrap processor—Procedures for monthly reports. How must I file monthly reports to the department? (1) Must maintain books and files.

(a) The scrap processor shall maintain the following books and files of all vehicles, acquired other than from a wrecker or out-of-state salvage company, which shall contain the following:

(i) A description of each vehicle acquired by make, model, year and vehicle identification number;

(ii) The date acquired, name of the person, firm or corporation from which obtained, and the wrecker license numbers if such person is licensed as a wrecker by the department;

(iii) A description of the document evidencing ownership, and if a certificate of title or registration, the title or registration number; and

(iv) The license plate number and name of state in which vehicle was last registered.

(b) For all vehicles acquired from a licensed wrecker, a copy of the wrecker's invoice or bill of sale shall suffice as the record of acquisition and demolition.

(c) For vehicles acquired from out-of-state salvage companies, an invoice listing the vehicles and the affidavit of compliance with the out-of-state jurisdiction.

(d) For vehicle parts, an invoice or bill of sale describing the part and identifying the seller by name and address. That record will be available for inspection.

(e) Such records shall be maintained for three years and shall be subject to periodic inspection by authorized representatives of the department and appropriate law enforcement officers.

(2) Must furnish written reports. By the tenth of the month following acquisition of vehicles or hulks for demolition, each scrap processor shall submit a report, on the form prescribed by the department, listing each vehicle, whether or not such vehicles have been demolished. This report shall be made in duplicate, retaining the duplicate for the scrap processor's files. The report shall give such information as the scrap processor is required to keep by subsection (1) of this section, provided that the scrap processor need not include copies of a wrecker's invoice or bill of sale in such report so long as he/she retains copies of the invoices and bills of sale for a period of three years. It shall be accompanied by properly endorsed certificates of title or registration or such other adequate evidence of ownership as may come into the scrap processor's possession when he/she acquires vehicles for salvage from other than wreckers licensed by the department.

[Statutory Authority: RCW 46.79.080. 00-13-020, § 308-65-140, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-140, filed 4/6/93, effective 5/7/93.]

WAC 308-65-150 Statement of change in business structure, ownership interest or control. When must I report a change in business structure or ownership? Any person, firm, association, corporation or trust licensed under chapter 46.79 RCW must, within ten days following any change in its business or ownership structure, file a statement describing with particularity the change in its business structure or the change in ownership interest.

[Statutory Authority: RCW 46.79.080. 00-13-020, § 308-65-150, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-150, filed 4/6/93, effective 5/7/93.]

WAC 308-65-160 Termination of business. A hulk hauler or scrap processor who terminates his business shall return his/her license and special license plates to the department for cancellation within ten business days of such termination.

[Statutory Authority: RCW 46.79.080. 94-12-052, § 308-65-160, filed 5/27/94, effective 6/27/94. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-160, filed 4/6/93, effective 5/7/93.]

WAC 308-65-170 Sale, transfer or other disposition of noncorporate licensee. What if there is a partial change in ownership of the company? Upon the sale, transfer or other disposition of fifty percent or more of the ownership interest in a noncorporate licensee:

(1) A new application for an appropriate license by the purchaser or transferee is required and the fee will be the same as for an original application.

(2) The former owner must surrender to the department all special license plates. The new owner or transferee must purchase new plates in its own name.

[Statutory Authority: RCW 46.79.080. 00-13-020, § 308-65-170, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-170, filed 4/6/93, effective 5/7/93.]

WAC 308-65-190 Incorporation of licensee while licensed. What if I incorporate while licensed? A licensee which incorporates while licensed shall file an application for an appropriate license.

The firm may request the preincorporation license number.

[Statutory Authority: RCW 46.79.080. 00-13-020, § 308-65-190, filed 6/12/00, effective 7/13/00. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-190, filed 4/6/93, effective 5/7/93.]

Chapter 308-66 WAC

MOTOR VEHICLE DEALERS AND MANUFACTURERS

WAC

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308-66-250	Internet business.
308-66-260	Dealer license plates—Waiver procedure.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-66-130	Salesman's license application. [Order MV 170, § 308-66-130, filed 7/16/73; Order 70-08-04, § 308-66-130, filed 8/6/70; Order 2, § 308-66-130, filed 1/29/68.] Repealed by 87-01-016 (Order DLR 115), filed 12/9/86. Statutory Authority: RCW 46.70.160 and 1986 c 199 § 1.
308-66-156	Guaranteed title. [Statutory Authority: RCW 46.70.160. 91-03-092, § 308-66-156, filed 1/18/91, effective 2/18/91.] Repealed by 98-20-039, filed 9/30/98, effective 10/31/98. Statutory Authority: RCW 46.70.160.
308-66-196	Possession of custom documents. [Statutory Authority: RCW 46.01.110. 93-14-084, § 308-66-196, filed 6/30/93, effective 7/31/93.] Repealed by 98-20-039, filed 9/30/98, effective 10/31/98. Statutory Authority: RCW 46.70.160.
308-66-205	Vehicle odometer disclosure. [Statutory Authority: RCW 46.70.160. 96-19-025, § 308-66-205, filed 9/9/96, effective 10/10/96; 90-24-054, § 308-66-205, filed 12/3/90, effective 1/3/91.] Repealed by 98-20-039, filed 9/30/98, effective 10/31/98. Statutory Authority: RCW 46.70.160.
308-66-206	Secure odometer power of attorney forms. [Statutory Authority: RCW 46.70.160. 90-24-054, § 308-66-206, filed 12/3/90, effective 1/3/91.] Repealed by 96-19-025, filed 9/9/96, effective 10/10/96. Statutory Authority: RCW 46.70.160.
308-66-213	Partial sales transfer or disposition of noncorporate licensee. [Order MV 170, § 308-66-213, filed 7/16/73; Order 70-08-04, § 308-66-213, filed 8/6/70.] Repealed by 91-20-057, filed 9/24/91, effective 10/25/91. Statutory Authority: RCW 46.70.160.
308-66-215	Mergers and consolidations of corporations. [Statutory Authority: RCW 46.70.160 and 46.70.041. 91-20-057, § 308-66-215, filed 9/24/91, effective 10/25/91; Order MV 170, § 308-66-215, filed 7/16/73; Order 70-08-04, § 308-66-215, filed 8/6/70.] Repealed by 96-19-025, filed 9/9/96, effective 10/10/96. Statutory Authority: RCW 46.70.160.
308-66-230	Titles—Combination tow truck operator-dealer. [Statutory Authority: RCW 46.70.160 and 1986 c 199 § 1. 87-01-016 (Order DLR 115), § 308-66-230, filed 12/9/86; Order 69-1, § 308-66-230, filed 8/28/69; Order 2, § 308-66-230, filed 1/29/68.] Repealed by 96-19-025, filed 9/9/96, effective 10/10/96. Statutory Authority: RCW 46.70.160.

WAC 308-66-110 Definitions. For the purpose of administering chapter 46.70 RCW, the following terms shall be construed in the following manner:

(1) "Offering" the sale of a vehicle shall include the distribution by any means of a list, with or without prices, of vehicles for sale.

(2) "Soliciting" the sale of a vehicle shall include an offer to effect the purchase or sale of a vehicle on behalf of another person.

(3) "Normal business hours" or "reasonable times" shall include, but not be limited to, the hours from 10:00 a.m. through 4:00 p.m. for five days each week. When a dealer

closes the place of business during normal business hours, a sign must be posted on the main door of the business stating the time that the dealer will next be open for business and how the dealer may be contacted provided that this is not permission to routinely avoid maintaining normal business hours.

(4) An "employee" of a dealer is a person on the payroll who appears on the record of the dealer as an employee for whom social security, withholding tax, and all deductions required by law have been made.

(5) A "broker" shall mean any person acting independently, who for a commission, fee or any other form of compensation arranges or engages in the wholesale or retail purchase, sale or lease with option to purchase, of a vehicle.

(6) A "vehicle dealer identification card" is a card, prescribed by the department and issued by a licensed dealer, that is used to identify the principal of a dealership, including a corporate officer, a partner of a partnership, or sole proprietor, or a member of a limited liability company, or an "employee," for purposes of driving a vehicle bearing dealer license plates.

(7) A "demonstration permit" is a permit issued by a dealer to a prospective customer entitling the prospective customer to operate a particular vehicle for demonstration purposes.

(8) Current service agreement - The agreement between a vehicle manufacturer or vehicle distributor and a seller, stipulating that the seller will provide warranty adjustments for the owners of that manufacturer's or distributor's new vehicles which qualify for adjustments under the manufacturer's or distributor's warranty.

(9) New vehicle warranty - The warranty extended by a manufacturer or distributor to the first retail purchaser.

(10) "Closing" shall mean the process of completion of sale transaction.

(11) "Completion of sale" in the case of a consigned vehicle shall mean that the purchaser has possession of the vehicle, all liens against the vehicle are paid, the seller has the proceeds of sale, and title to the vehicle has been transferred to the retail purchaser.

(12) "Listing" shall mean a contract between a seller of a used mobile/manufactured home and a listing dealer for the dealer to locate a willing purchaser for that home.

(13) "Consignment" shall mean an arrangement whereby a vehicle dealer accepts delivery or entrustment of a vehicle and agrees to sell the vehicle on behalf of another.

(14) "Remanufactured" shall mean to remake or reprocess into a finished product by a large scale industrial process.

(15) "Guaranteed title" as it relates to a consigned vehicle shall mean a guarantee by the consignor to convey title to the consignee upon sale of the vehicle. The consignment agreement between the consignor and consignee shall comply with the provisions of WAC 308-66-155.

(16) "Used vehicle" in keeping with RCW 46.04.660, and for purposes of the requirement for a service agreement in RCW 46.70.101 (1)(a)(vii), a vehicle will be considered used if it meets the following requirements:

(a) It has been titled or registered to a bona fide retail purchaser/lessee for a period of 90 days or more; and

(b) The vehicle has been operated (driven) to the extent that its odometer registers 3,000 miles or more.

However, the requirements of (a) and (b) of this subsection will not apply if a bona fide retail purchaser/lessee sells, trades, or otherwise disposes of the vehicle prior to its having met those requirements. To document such an exemption, the subsequent wholesaling and retailing dealer must keep, as a dealer business record, a notarized affidavit from either the bona fide retail purchaser/lessee, or in the case of an imported vehicle, a notarized affidavit from the importer of the vehicle. That affidavit will be prescribed by the department and must confirm that the retail purchaser/lessee was a bona fide retail purchaser/lessee.

(17) A "bona fide retail purchaser/lessee" is one who purchases or leases a vehicle for the purpose of using it, rather than for the purposes of resale or lease.

(18) The "principal" of a business as used herein means:

(a) The proprietor of a sole proprietorship;

(b) A partner of a partnership;

(c) An officer of a corporation; or

(d) A member or manager of a limited liability company.

[Statutory Authority: RCW 46.70.160, 04-16-090, § 308-66-110, filed 8/3/04, effective 9/3/04; 02-12-062, § 308-66-110, filed 5/31/02, effective 7/1/02; 98-20-039, § 308-66-110, filed 9/30/98, effective 10/31/98; 96-19-025, § 308-66-110, filed 9/9/96, effective 10/10/96. Statutory Authority: RCW 46.70.160 and 1986 c 199 § 1. 87-01-016 (Order DLR 115), § 308-66-110, filed 12/9/86; Order MV 170, § 308-66-110, filed 7/16/73; Order 70-08-04, § 308-66-110, filed 8/6/70; Order 69-1, § 308-66-110, filed 8/28/69; Order 2, § 308-66-110, filed 1/29/68.]

WAC 308-66-120 Dealer's license application. What information is needed to apply for a vehicle dealer license?

(1) Each application shall contain in addition to the information required by RCW 46.70.041:

(a) The names and residential addresses of all owners of ten percent or more of the assets of the business;

(b) The name and address of the principal place of business;

(c) The names and addresses of each and every sub-agency, if any;

(d) A current balance sheet of assets, liabilities and owner's equity which shall have been prepared within sixty days of its submission, including proof of the assets;

(e) A statement of whether or not the applicant or any partner, member, officer, or director of the firm, was the holder of a license issued pursuant to chapter 46.70 RCW which was revoked for cause and never reissued by the department, or suspended for cause and the terms of the suspension have not been fulfilled or assessed a monetary penalty that has not been paid;

(f) A list of all dealerships previously operated by each person named on the application and with which each person presently or was formerly connected or employed.

(2) An applicant must appear for a personal interview if requested by the department.

(3) The department may require a credit report for each person named on each application for a dealer's license.

(4) An applicant must provide as evidence of leasehold or ownership interest of business location either:

(a) A copy of the rental or lease agreement between the applicant and landowner showing the business location by commonly known address, or

(b) A copy of the county assessor's record showing ownership of the business location, the applicant's name and the commonly known address.

(5) An applicant must provide a bank reference for verifying financial condition consisting of:

(a) The name of the applicant's bank, a person to contact at that bank concerning the applicant's financial condition, or

(b) A letter of credit current within the last sixty days, or

(c) A flooring agreement, if with a financial institution, or

(d) A line of credit with a financial institution.

(6) The department may require an applicant to provide evidence that the business location conforms to all zoning and land use ordinances.

(7) A corporate applicant must provide the corporation number and corporation name issued by the secretary of state's office authorizing the company to do business within this state.

(8) The business name and address on the license application and all required supporting documents must be the same.

(9) The applicant must provide a certification of completion in the dealer education program:

(a) At least one principal of each company applying for an original vehicle dealer license must receive certification in the dealer education program required by RCW 46.70.041 (1)(l).

(b) The department encourages as many principals of each company as possible to obtain such certification.

(c) For annual dealer license renewals, either a company principal or a managing employee may complete the continuing education program. The continuing education certificate will indicate that the dealership has fulfilled the requirement.

(d) Certifications for either original or renewal applications will be valid for twelve months.

(10) Any service agreement required by RCW 46.70.041 must be on file with the department. An acquisition or loss of a service agreement must be reported to the department in writing within ten days.

[Statutory Authority: RCW 46.70.160, 04-16-090, § 308-66-120, filed 8/3/04, effective 9/3/04; 02-12-062, § 308-66-120, filed 5/31/02, effective 7/1/02; 98-20-039, § 308-66-120, filed 9/30/98, effective 10/31/98; 96-19-025, § 308-66-120, filed 9/9/96, effective 10/10/96. Statutory Authority: RCW 46.70.160 and 46.70.041, 91-20-057, § 308-66-120, filed 9/24/91, effective 10/25/91. Statutory Authority: RCW 46.70.160 and 1986 c 199 § 1, 87-01-016 (Order DLR 115), § 308-66-120, filed 12/9/86; Order MV 170, § 308-66-120, filed 7/16/73; Order 70-08-04, § 308-66-120, filed 8/6/70; Order 69-1, § 308-66-120, filed 8/28/69; Order 2, § 308-66-120, filed 1/29/68.]

WAC 308-66-135 Expiration of dealer and manufacturer licenses. Motor vehicle dealer license plates and vehicle manufacturer license plates shall expire on the same date as the expiration of the license.

[Statutory Authority: RCW 46.70.160 and 46.70.085, 91-20-057, § 308-66-135, filed 9/24/91, effective 10/25/91. Statutory Authority: 1985 c 109 §§ 2, 4, 6 and 8, RCW 46.80.140, 46.70.080 [46.79.080], 46.70.160, 46.76.070 and 46.16.225, 86-08-028 (Order DLR-091), § 308-66-135, filed 3/26/86.]

WAC 308-66-140 Place of business and places of business. Which business names and locations do I need to license?

(1) A dealer must inform the department in writing of each and every:

(a) Name under which the dealer does business, and

(b) Location at which the dealer does business.

The dealer must inform the department in writing within ten days of any addition, deletion or change in the name or location.

(2) A dealer shall designate one name and one location as the principal name and principal place of business.

(a) All other names under which the dealer does business shall be designated and licensed as subagencies of that dealership;

(b) All other locations that are physically and geographically separated from the principal place of business shall be designated and licensed as subagencies of that dealership;

(c) If a dealer is required to obtain a subagency license under (2)(b) of this section, the dealer shall not be required to obtain an additional subagency license under (2)(a) of this section, unless the dealer does business under more than one name at that subagency location;

(d) The department will not require a subagency license for a name solely due to the use of a ".com" or other URL extension in an internet address; or because a dealership uses a derivative of its licensed "doing business as" name for its internet address. The web site must clearly display the licensed "doing business as" name.

(3) If the dealer ceases to maintain "an established place of business" at that subagency location, the director shall suspend, revoke and/or refuse to renew a subagency license of a dealership.

(4) All temporary subagencies must be covered by the bond of the dealer's principal place of business.

(5) A vehicle dealer, whether franchised or nonfranchised, that is unable to locate the dealer's used vehicle sales facilities adjacent to or at the established place of business need not obtain and hold a subagency license if:

(a) The vehicle sales lot is contained within the same city block, or

(b) Is directly across the street, or

(c) Is within sight, and

(d) Its location is zoned properly, and

(e) The dealer bond covers the sales lot.

(6) If the sales lot referred to in section 5 is in sight of the principal place of business, no sign is required at that sales lot.

(7) The department may require that a dealer provide evidence that each place of business conforms to all zoning and land use ordinances.

(8) Each and every subagency license of a dealership shall automatically be deemed cancelled upon the termination, for whatever reason, of the principal license of that dealership.

(9) No license shall be issued to any applicant for a vehicle dealer or vehicle manufacturer license under a name that is the same as that of any dealer or manufacturer holding a current license issued pursuant to chapter 46.70 RCW.

(10) The sign at the certified location and the business telephone listing must reflect the "doing business as" (dba) name.

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-140, filed 8/3/04, effective 9/3/04; 98-20-039, § 308-66-140, filed 9/30/98, effective 10/31/98. Statutory Authority: RCW 46.70.160 and 46.70.023. 91-20-057, § 308-66-140, filed 9/24/91, effective 10/25/91. Statutory Authority: RCW 46.70.160 and 1986 c 199 § 1. 87-01-016 (Order DLR 115), § 308-66-140, filed 12/9/86; Order MV 170, § 308-66-140, filed 7/16/73; Order 69-1, § 308-66-140, filed 8/28/69; Order 2, § 308-66-140, filed 1/29/68.]

WAC 308-66-145 Established place of business—Waiver procedure. How may I obtain a place of business waiver?

(1) An applicant for a vehicle dealer license, or a licensee, who requests a waiver of any established place of business requirement(s) must submit the following to the department:

(a) All applicable documents and fees in RCW 46.70-.041, 46.70.061, 46.70.070, WAC 308-66-120, and 308-66-140.

(b) A written request for the waiver, in the form of either a letter or a request completed on the department's prescribed form, which requires the following minimum information:

(i) Specific nature or type of activity the applicant intends to conduct,

(ii) Specific element(s) of the established place of business requirements requested to be waived,

(iii) Detailed statement which identifies the unique circumstances necessitating the request for waiver, and,

(iv) Any other information the department may require.

(2) Upon receipt by the department of all the required information, the director or the director's designee will review the request for waiver of any established place of business requirement(s) and issue a final determination in writing.

(3) A waiver granted under section (2) will remain in effect only as long as the unique circumstance(s) under which the waiver was originally granted have not changed or until the director terminates the waiver.

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-145, filed 8/3/04, effective 9/3/04; 98-20-039, § 308-66-145, filed 9/30/98, effective 10/31/98. Statutory Authority: RCW 46.70.160 and 1986 c 199 § 1. 87-01-016 (Order DLR 115), § 308-66-145, filed 12/9/86.]

WAC 308-66-150 Warranty practices. (1) It shall not be considered unlawful under the provisions of RCW 46.70.180 (14)(f) for a vehicle manufacturer to provide under the terms of any warranty that a purchaser of a vehicle must make warranty claims against only the manufacturer of an integral part of a vehicle if the manufacturer of that integral part has assumed a direct warranty obligation thereon to the purchaser and does, in fact, provide facilities or agencies within the states of Washington, Oregon or Idaho to discharge such warranty obligation.

(2) No manufacturer need make reimbursement under RCW 46.70.101 (2)(j) except to dealers selling its product at retail or to the dealers holding units purchased from the manufacturer for resale at retail: Provided, however, That if the warranty agreement between the dealer and the manufacturer requires prior approval by the manufacturer, such approval must be given within a reasonable time and in no event later

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than ten days, except in emergency situations where the life, health, or safety of the occupant or owner requires immediate action.

[Statutory Authority: RCW 46.70.160. 96-19-025, § 308-66-150, filed 9/9/96, effective 10/10/96. Statutory Authority: RCW 46.70.160 - 46.70.180. 90-20-086, § 308-66-150, filed 9/28/90, effective 10/29/90; Order MV-446, § 308-66-150, filed 9/16/77; Order MV 170, § 308-66-150, filed 7/16/73; Order 70-08-04, § 308-66-150, filed 8/6/70; Order 69-1, § 308-66-150, filed 8/28/69; Order 2, § 308-66-150, filed 1/29/68.]

WAC 308-66-152 Unlawful practices. (1) Examples of unlawful acts or practices, as defined by RCW 46.70.180 (1)(a), include, but are not limited to representations such as "no down payment," "a dollar down," "five dollars down," "take-over payments," "no cash out of your pocket," "no cash needed," and others of similar nature if either secondary financing or initial payment of any amount, including factory rebates in excess of that represented, is required from the purchaser. A dealer's plan to have all or a portion of the lease or selling price financed by a third party does not relieve the dealer of an obligation to refrain from this prohibited type of advertising. When any of these representations are made a payment disclosure shall be made as contained in subsection (6) of this section.

(2) Examples of unlawful acts or practices as defined by RCW 46.70.180 (1)(b), include, but are not limited to representations such as "one hundred percent financing" if the terms of the purchase or lease involve more than one security agreement and payments to more than one financing institution. When collateral in addition to the vehicle is required, it must be listed on the security agreement containing the vehicle's description, not on a separate agreement.

(3) It shall be considered false, deceptive or misleading, and thereby unlawful, to advertise with words, phrases, or initials which are not clear and conspicuous and easily comprehended by persons other than those closely allied with the vehicle industry.

(a) Clear and conspicuous within an advertisement shall mean:

(i) In the case of a television advertisement, the information required to be disclosed shall be completely disclosed audibly, visually, or a combination thereof.

(A) If made visually, shall be made in a type size sufficiently large to be read with reasonable ease; shall appear on the television screen for at least seven seconds; shall be in print type of a color or shade that contrasts readily with the background; shall not be obscured by other words or images appearing on the television screen; and

(B) If made audibly, shall be spoken with sufficient deliberateness, clarity, and volume so as to be understood by the average television listener; shall not be obscured by sounds which interfere with or distract from the disclosures being made.

(ii) In the case of a radio advertisement, the information required to be disclosed shall be spoken with sufficient deliberateness, clarity, and volume so as to be understood by the average radio listener; shall not be obscured by sounds which interfere with or distract from the disclosures being made.

(iii) In the case of a printed advertisement, the information required to be disclosed shall be made in a type size which shall be sufficiently large to be read with reasonable

ease and shall be made in relatively close proximity to each of the terms which require that the disclosures be made; disclosures shall be made in such color and contrast so as not to be obscured by other words or pictures appearing in the advertisement.

(b) Examples of words, phrases, or initials which are not easily comprehended by persons other than those closely allied with the vehicle industry, and that may not be used without explaining their meaning in the same advertisement, include but are not limited to: Executive; capitalized cost reduction, o.a.c., c.f., f.o.b. The words annual percentage rate may be abbreviated to read A.P.R. or apr.

(4) Examples of false, deceptive or misleading, and thereby unlawful statements or representations within the meaning of RCW 46.70.180(1) include, but are not limited to:

(a) Advertising a used vehicle for sale that is not available at the time the advertisement is placed;

(b) Advertising a new vehicle as available for immediate delivery if it is available only on order;

(c) Advertising any offer in connection with the sale of a vehicle or model or type of vehicle without disclosing any material limitations, including, but not limited to, the time limit, or that there is no time limit on the offer;

(d) Advertising using a picture:

(i) Of a new vehicle which does not substantially show the same vehicle offered for sale; or

(ii) Of a used vehicle which is not the same vehicle offered for sale;

(e) Causing an advertisement to be placed by a dealer or dealer representative that does not identify the dealer by its complete business name, or by the word "dealer" or abbreviation "DLR";

(f) Incorporating in the dealer's name any term or designation which would have a tendency to mislead others as to the true nature of the business, such as the use of "wholesale," when a dealer's business is substantially retail, or "discount" when the price and policy of a dealer does not provide substantial discounts;

(g) Advertising a vehicle manufactured fewer than two years prior to the date of the advertisement without designating the vehicle as "used," "demo," or "demonstrator." For purposes of adequate disclosure, the appropriate quoted term must be employed. Other descriptive words, such as "executive," "lease," or "rental" may be used in conjunction therewith, but not so as to create ambiguity as to whether the vehicle is new, used, or a demonstrator.

(h) Advertising a "rebuilt vehicle" for sale with knowledge as defined in RCW 46.70.101 (1)(b)(xi) that the vehicle is rebuilt, without clearly and conspicuously disclosing "rebuilt" in the advertisement;

(i) Advertising a specific price for a specific vehicle or model or type of vehicle without designating the number of vehicles available at that price, and;

(i) Without clearly identifying the vehicles available by complete vehicle identification number, license plate number; or

(ii) Without clearly and conspicuously stating in the advertisement that such vehicle identification or license plate number for each advertised vehicle is available from the dealer upon request, and requiring that the dealer using this

method of identifying vehicles keep the media advertising copy along with the vehicle identification number or license plate number of each advertised vehicle offered for a specific price. Such records shall be retained for one year following the advertisement. Dealers shall also date and post a written copy of the advertisement text and list of vehicle identification numbers or license plate numbers in a conspicuous public area at their place of business for the duration of the vehicle's availability at the advertised price: Provided, however, That a dealer need not designate the number of vehicles available or identify the vehicles available or state in the advertisement that the identification of advertised vehicles is available upon request if, in fact, an unlimited supply of such vehicles are available for immediate delivery;

(j) Selling a particular vehicle at a higher price than advertised, regardless of trade-in allowance;

(k) Adding charges, costs, or items to the advertised price, except those allowed by statute, other than the selling price of additional equipment ordered by the purchaser, sales tax, and license fees. "Additional equipment ordered by the purchaser" shall not include options already installed on the vehicle at the time of advertising;

(l) Expressing "advertised price" as a combination of:

(i) Dollar figures and words unless all component figures and the total dollar figure is expressed; or

(ii) Dollar figures and dollar figures unless all component figures and the total dollar figure is expressed;

(m) Advertising that a new vehicle or model or type of vehicle will be leased or sold for a certain amount above or below invoice or cost without:

(i) Disclosing the actual dollar amount being referred to as "invoice";

(ii) Stating the final, total price for each vehicle, which may exclude sales taxes and license fees; and

(iii) Computing invoice as the actual cost to the dealer to get each vehicle from the manufacturer.

In computing "invoice" the dealer may include the actual cost of transportation of the vehicle from the manufacturer to the dealer, but must exclude dealer holdbacks, other manufacturer incentives, optional advertising fees, dealer overhead expenses, and other similar expenses;

(n) Advertising that a new or used vehicle is reduced in price from a former price, or that the advertised price is a percentage of dollar amount savings from a former price, or words to that effect, unless the seller actually recently advertised or has records showing that vehicle has been offered for sale at the former price;

(o) Advertising or offering:

(i) Any rebate that is not an authorized manufacturer's rebate paid directly to the consumer, which the consumer may apply to the purchase; and

(ii) Any manufacturer's rebate for which the manufacturer requires any financial participation by the dealer, without also clearly and conspicuously stating the following disclosure: "Dealer participation in this rebate program may increase vehicle price before rebate";

(p) Advertising that "any written price quote will be beaten," "any deal will be accepted," or that a dollar amount is guaranteed on any "push, pull or drag," trade-in, or words to that effect unless the dealer can clearly show through the records of the dealership that such is the case;

(q) Advertising a vehicle or model or type of vehicle as being available at "lowest cost," "best deal" or other words to that effect unless the dealer can clearly show through the records of the dealership that such is the case;

(r) Advertising an interest rate that is adjustable without clearly and conspicuously disclosing that the interest rate is adjustable;

(s) Advertising a vehicle or model or type of vehicle for sale at a financing rate which has been bought down by the dealer, without disclosing the actual annual percentage rate.

(5) No advertisement to aid, promote, or assist directly or indirectly any extension of credit may state:

(a) That a specific amount of credit or installment amount can be arranged unless the creditor usually and customarily arranges or will arrange credit amounts or installments for that period and in that amount; or

(b) That no down payment or that a specified down payment will be accepted in connection with any extension of credit unless the creditor usually and customarily accepts or will accept down payment in that amount.

(6) No advertisement to aid, promote, or assist directly or indirectly any credit sale of a vehicle shall state the amount or percentage of the down payment required, or that no down payment is required, the amount of any payment or the number of payments or the period of repayment, the amount of any finance charge or that there is no charge for credit, unless it states clearly and conspicuously all of the following terms:

(a) The cash price or the amount of the loan as applicable;

(b) The amount or percentage of the down payment required, or that no down payment is required, as applicable;

(c) The number, amount, and frequency of payments scheduled to repay the indebtedness if the credit is extended;

(d) The amount of the finance charge expressed as an annual percentage rate;

(e) The deferred payment price or the sum of the payments as applicable;

(f) The specific model or type of vehicle(s) to which the advertised offer applies; and

(g) Any other conditions material to the advertised offer.

(7) Any advertisement to aid, promote, or assist directly or indirectly a consumer lease must state clearly that the advertisement offers a lease rather than a vehicle sale.

(8) No advertisement to aid, promote, or assist directly or indirectly any consumer lease of a vehicle shall state the amount of any monthly payment, or state a capitalized cost reduction or other payment required prior to or at consummation/delivery, unless it also states the following terms:

(a) That the transaction advertised is a lease;

(b) The total amount due prior to or at consummation/delivery;

(c) The number, amount, and due dates or period of scheduled payments under the lease;

(d) A statement of whether or not a security deposit is required; and

(e) A disclosure of the lessee's liability at the end of an open-end lease.

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-152, filed 8/3/04, effective 9/3/04; 98-20-039, § 308-66-152, filed 9/30/98, effective 10/31/98. Statutory Authority: RCW 46.70.180 and 46.70.160. 91-03-019, § 308-66-152, filed 1/7/91, effective 2/7/91. Statutory Authority: RCW (2007 Ed.)

46.70.160 - 46.70.180. 90-20-086, § 308-66-152, filed 9/28/90, effective 10/29/90.]

WAC 308-66-155 Consignment. (1) Contract. How must I handle a consignment transaction?

(a) It shall be considered an unlawful practice within the meaning of RCW 46.70.180(2) for a vehicle dealer to accept any vehicle on consignment without first reducing the terms of the consignment to writing.

(b) *All consignment contracts must include:*

(i) The names of the parties to the contract including the identity of the legal owner of the consigned vehicle.

(ii) The consignor's statement that guarantees to deliver the title to the dealer-consignee upon sale of the vehicle which identifies the location of the title and states the unpaid balance owing on the vehicle, if any.

(iii) The date of the consignment agreement.

(iv) The specific effective duration of the contract.

(v) The agreed upon amount which will be paid to the consignor.

(vi) The description of the consigned vehicle, by make, model, vehicle identification number, and license number.

(vii) The signatures of the parties to the contract.

(viii) If no amount has been specified in (v) above, then the minimum retail price and the commission, fee, or compensation to which the dealer-consignee will be entitled upon the sale of the consigned vehicle.

(2) In the event the dealer-consignee and the consignor shall deem it appropriate to vary the terms of the written contract, the dealer-consignee shall obtain written authorization from the consignor prior to the sale of the subject vehicle.

(3) Requirements for selling consigned vehicles.

(a) All funds received, including deposits or payments in full or proceeds from the sale of trade-ins, must be placed in a trust account as required under RCW 46.70.180(9), and said funds must remain in that trust account until the consignor's and any lienholder interests have been fully satisfied. It shall be considered an unlawful practice for a vehicle dealer or salesperson to commingle funds received on a consigned vehicle with the assets of the dealer and/or the salesperson until all terms of the agreement have been completed.

(b) The amount due a consignor and any lienholder from the sale of the consigned vehicle must be paid by the consignee within ten days following delivery of the vehicle to the purchaser.

(c) At the same time payment is made pursuant to (b) of this subsection, the dealer must give to the consignor a copy of the purchase order used in the sale.

(4) Consignee's duty to transfer title.

(a) The sale of consigned vehicles imposes upon the consignee-dealer the same duty under RCW 46.70.122 to promptly transfer title into the name of the purchaser as in any other sale.

(b) Prior to accepting a vehicle for consignment and offering it for sale, it shall be the duty of the consignee to verify or confirm the title location. Failure to do so shall be considered an unlawful and deceptive practice under RCW 46.70.180(2).

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-155, filed 8/3/04, effective 9/3/04; 98-20-039, § 308-66-155, filed 9/30/98, effective 10/31/98; 96-19-025, § 308-66-155, filed 9/9/96, effective 10/10/96. Statu-

tory Authority: RCW 46.70.160 and 46.70.028. 91-20-057, § 308-66-155, filed 9/24/91, effective 10/25/91. Statutory Authority: RCW 46.70.160 and 1986 c 199 § 1. 87-01-016 (Order DLR 115), § 308-66-155, filed 12/9/86; Order MV-352, § 308-66-155, filed 3/4/76.]

WAC 308-66-157 Listing. How do I handle a manufactured home listing?

(1) Dealer responsibilities.

(a) The listing dealer shall be responsible for negotiating the agreement between seller and purchaser as follows:

(b) All written offers shall be presented to the seller for acceptance or refusal. A copy of the agreement shall be delivered to the purchaser immediately following the purchaser's signing.

(c) A copy of the offer to purchase shall be delivered to the seller immediately following seller's signing and acceptance of purchaser's offer.

(d) A copy of the agreement to purchase bearing the signature of the seller(s) shall be delivered to the purchaser as proof that the purchaser's offer was accepted.

(e) A legible copy of the agreement to purchase shall be retained in the listing dealer's files.

(f) A copy of the agreement between purchaser and dealer to disburse any funds from the trust account to pay liens against the used mobile/manufactured home shall be retained in the dealer's files.

(2) At the time the sale is closed, the listing dealer may pay outstanding liens out of the trust account prior to paying the sale proceeds to the seller.

(3) The sale of listed vehicles imposes upon the listing dealer the same duty under RCW 46.70.122 to promptly transfer title into the name of the retail purchaser, as in any other sale.

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-157, filed 8/3/04, effective 9/3/04; 98-20-039, § 308-66-157, filed 9/30/98, effective 10/31/98. Statutory Authority: RCW 46.70.160 and 1986 c 199 § 1. 87-01-016 (Order DLR 115), § 308-66-157, filed 12/9/86.]

WAC 308-66-160 Dealer's and manufacturer's license plates. (1) When dealer's plates are used on any vehicle being demonstrated to a prospective customer, it is not necessary that the dealer or a member of his firm accompany the prospective customer except as provided in RCW 46.70.090 (7)(c). Prospective customers, when not accompanied by a dealer or member of his firm, must be issued a demonstration permit by the dealer authorizing them to operate the vehicle for a period not to exceed seventy-two hours for the purpose of demonstration and possible purchase.

(2) When a dealer receives a vehicle bearing foreign license plates, such plates must be covered by the dealer's plates while that vehicle is being demonstrated. Upon the sale of the vehicle, the foreign plates shall be removed and destroyed by the dealer prior to the delivery of the vehicle. When foreign-plated vehicles are sold to residents of a state whose plate is so displayed on the vehicle and the purchaser returns the vehicle immediately to his home state for use there and not in Washington, the dealer may deliver the vehicle with foreign plates attached if either one of two conditions is also met. The conditions are:

(a) The purchaser must sign a nonresident affidavit to apply to their home state's vehicle licensing authority to register the vehicle in their own name, or

(b) The purchaser must have obtained a trip permit to move the vehicle from the dealer's place of business to the purchaser's own state.

(3) A dealer, corporate officer, member of a limited liability company; or spouse of the dealer, corporate officer, or member of a limited liability company; or an employee of a dealer must carry a vehicle dealer identification card when operating any vehicle bearing dealer plates.

(4) Dealer plates may not be used on any vehicle belonging to a member of the dealer's family.

(5) Dealer plates may not be used on any vehicle owned by the dealer if such vehicle is used exclusively by members of the dealer's family.

(6) Vehicles bearing dealer's plates may not be loaned to the dealer's service customers.

(7) Dealers are required to provide accurate records reflecting the use of dealer plates.

(8) Pursuant to RCW 46.70.090, testing vehicles for repair is limited to testing for a preexisting, identifiable problem known to the vehicle dealer or manufacturer before the testing is to begin. In addition, vehicle manufacturers may test vehicles for purposes of product evaluation/performance and problem identification, as long as loads are within the legal limits, no commercial hauling is involved, and a company employee with identification is driving the vehicle.

[Statutory Authority: RCW 46.70.160. 05-23-088, § 308-66-160, filed 11/16/05, effective 12/17/05; 04-16-090, § 308-66-160, filed 8/3/04, effective 9/3/04; 98-20-039, § 308-66-160, filed 9/30/98, effective 10/31/98; 96-19-025, § 308-66-160, filed 9/9/96, effective 10/10/96. Statutory Authority: RCW 46.70.160 and 46.70.090. 91-20-057, § 308-66-160, filed 9/24/91, effective 10/25/91. Statutory Authority: RCW 46.70.160. 86-21-025 (Order DLR-114), § 308-66-160, filed 10/8/86; Order MV 170, § 308-66-160, filed 7/16/73; Order 70-08-04, § 308-66-160, filed 8/6/70; Order 69-1, § 308-66-160, filed 8/28/69; Order 2, § 308-66-160, filed 1/29/68.]

WAC 308-66-165 Vehicle sales transactions. How do I report vehicle sales for purposes of renewing my dealer license? To report sales for purposes of license renewal as required by RCW 46.70.083, the dealer will report the number of vehicles leased and sold at both retail and wholesale during the twelve-month period ending sixty days prior to the expiration of the license, for each license classification held by the dealer.

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-165, filed 8/3/04, effective 9/3/04. Statutory Authority: RCW 46.70.160 and 1991 c 140. 91-20-057, § 308-66-165, filed 9/24/91, effective 10/25/91.]

WAC 308-66-170 Denial, suspension or revocation of license. (1) When the license of a vehicle dealer has been suspended or revoked, the department shall post a closure notice at or near the principal entry to the place of business. Such notice shall include a statement that the dealership is closed as to the sale of vehicles because of the suspension or revocation of a license. In case of a suspension, the duration of the suspension shall be stated on the notice. A dealer shall not remove any closure notice without permission from an authorized representative of the director.

(2) Practices inimical to the health and safety of the citizens of the state of Washington pursuant to RCW 46.70.101 (1)(b)(viii) and (2)(k) shall include, but not be limited to, failure to comply with the following federal and state standards, as presently constituted and as hereafter amended, amplified

or revised, pertaining to the construction and safety of vehicles:

(a) "Federal motor vehicle safety standards," 49 Code of Federal Regulations, part 571;

(b) "Control of air pollution from new motor vehicles and new motor vehicle engines," 40 Code of Federal Regulations, part 85;

(c) "Vehicle lighting and other equipment," chapter 46.37 RCW;

(d) Rules and regulations adopted by the Washington state patrol pursuant to RCW 46.37.005, Title 204 WAC;

(e) "Mobile/manufactured homes, commercial coaches, park trailers, and recreational vehicles," chapter 296-150B WAC;

(f) Housing and Community Development Act of 1974, Public Law 93-383, Title VI Mobile home construction and safety standards, §§ 603, 604, 610, 615, 616, 617.

[Statutory Authority: RCW 46.70.160, 98-20-039, § 308-66-170, filed 9/30/98, effective 10/31/98; 96-19-025, § 308-66-170, filed 9/9/96, effective 10/10/96. Statutory Authority: RCW 46.70.160 and 46.70.101, 91-20-057, § 308-66-170, filed 9/24/91, effective 10/25/91. Statutory Authority: RCW 46.70.160 and 1986 c 199 § 1, 87-01-016 (Order DLR 115), § 308-66-170, filed 12/9/86; Order MV-446, § 308-66-170, filed 9/16/77; Order MV 170, § 308-66-170, filed 7/16/73; Order 2, § 308-66-170, filed 1/29/68.]

WAC 308-66-175 Buyer's agent—Standard disclosures. Must a buyer's agent disclose their activities? The written agreement between a buyer's agent and its customer shall contain precisely the following disclosure language in a single paragraph on the first page of the agreement, in a type size sufficiently large to be read with reasonable ease:

NOTICE to customers concerning the nature and scope of BUYER'S AGENT activity. A licensed bonded vehicle dealer may act as a buyer's agent to arrange for you to purchase a new vehicle.

1. Your agreement with the buyer's agent must:

- Be in writing.
- Set forth the terms of the agreement.
- Disclose total fees or other compensation to be received from you.
- State whether or not any portion of the fee is refundable.

2. While arranging for you to purchase your new vehicle the buyer's agent must NOT:

- Receive or pay any vehicle purchase moneys.
- Sign any vehicle purchase order, contract, odometer statement or title document.
- Have the name of the buyer's agent appear on the purchase order, sales contract or title.
- Sign any other document relating to the purchase, sale or transfer of the new vehicle.
- Use a power of attorney (POA) to do any of the above prohibited acts. However, the buyer's agent may use a POA to deliver the license plates to the customer.

3. The buyer's agent must NOT:

- Pay to or receive from a dealer any purchase moneys, fees, gratuities or rewards.
- Claim or state that the buyer's agent offers, obtains or guarantees the lowest price.

- Arrange for a new vehicle through an out-of-state dealer without disclosing to the customer in writing that the vehicle will not have Washington state lemon law coverage.

[Statutory Authority: RCW 46.70.160, 04-16-090, § 308-66-175, filed 8/3/04, effective 9/3/04. Statutory Authority: RCW 46.70.180(13) as amended in 1995 by SHB 2179, 96-24-041, § 308-66-175, filed 11/27/96, effective 12/28/96.]

WAC 308-66-180 Record of transactions. (1) The record of the purchase and sale of a vehicle maintained by a dealer must include, but not be limited to:

(a) A description of the vehicle, which shall include those items of description required on the Washington application for title, and in the case of a retail sale requiring a title transfer, a copy of the computer-generated title application processed by a license agent showing fees paid to the state;

(b) The Washington license plate number assigned to the vehicle upon transfer;

(c) The required odometer statement disclosure form which shall conform to 49 Code of Federal Regulations, part 580, and in WAC 308-56A-640 or if a licensed vehicle dealer auction company conducting wholesale consignment sales, the odometer disclosure record for such sales as required in 49 Code of Federal Regulations, part 580.9 and in WAC 308-56A-670;

(d) All purchase orders must be dated and include the business name of the dealer and a description of any trade-in vehicle by year, make and vehicle identification number.

(2) A record of the purchase and sale of a vehicle must be maintained on all transactions, whether at retail or wholesale; and must be available for inspection and copying by representatives of the department of licensing during normal business hours.

(3) Any such records kept electronically must be made available in hard copy upon request of a representative of the department of licensing.

[Statutory Authority: RCW 46.70.160, 04-16-090, § 308-66-180, filed 8/3/04, effective 9/3/04; 96-19-025, § 308-66-180, filed 9/9/96, effective 10/10/96. Statutory Authority: RCW 46.70.160, 90-24-054, § 308-66-180, filed 12/3/90, effective 1/3/91. Statutory Authority: RCW 46.70.160 and 1986 c 199 § 1, 87-01-016 (Order DLR 115), § 308-66-180, filed 12/9/86; Order MV 170, § 308-66-180, filed 7/16/73; Order 2, § 308-66-180, filed 1/29/68.]

WAC 308-66-182 Records—Buyer's agents. Dealers shall keep for a period of five years the following records concerning their buyer's agent activities:

(1) A copy of the required written agreement with the customer.

(2) A record of any fees received from the customer.

[Statutory Authority: RCW 46.70.180(13) as amended in 1995 by SHB 2179, 96-24-041, § 308-66-182, filed 11/27/96, effective 12/28/96.]

WAC 308-66-190 Transfer of certificate of title by dealer. How is the transfer to be done? (1) When a vehicle displaying current Washington plates is sold, leased or otherwise disposed of by a dealer, the dealer must make an application for a certificate of title in the purchaser's or lessee's name within forty-five calendar days commencing with the sale, lease or disposal of the vehicle. The date on which the selling dealer physically delivers the vehicle to the cus-

tomers/purchaser/lessee must commence the forty-five day interval in which the selling or leasing dealer must make an application for a certificate of title in the purchaser's or lessee's name. Under the following conditions a dealer may be granted an additional interval, not to exceed forty-five days in which to apply for title in the customer's name:

(a) The lien holder fails to deliver the vehicle title to the dealer within the time period for title transfer; and

(b) The dealer has satisfied the lien; and

(c) The dealer has proof that payment of the lien was made within two calendar days, exclusive of Saturday, Sunday, or a legal holiday after the sales contract has been executed by all parties and all conditions and contingencies in the sales contract have been met or otherwise satisfied; or

(d) The director may excuse any situations in which applications are delayed for reasons beyond the control of the dealer.

(2) The dealer must in every case sign or type their name on the dealer's report of sale on the title application accompanying the transfer. If an authorized agent signs for the dealer, they must give their title.

(3) The dealer shall provide a vehicle odometer disclosure statement with the title application as required by RCW 46.12.124.

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-190, filed 8/3/04, effective 9/3/04. Statutory Authority: RCW 46.70.160 and 46.70-110. 99-02-049, § 308-66-190, filed 1/5/99, effective 2/5/99. Statutory Authority: RCW 46.70.160. 96-19-025, § 308-66-190, filed 9/9/96, effective 10/10/96. Statutory Authority: RCW 46.70.160 and 46.70.124. 94-21-055, § 308-66-190, filed 10/13/94, effective 11/13/94. Statutory Authority: RCW 46.70.160, 46.12.120 and [46.12].124. 91-20-057, § 308-66-190, filed 9/24/91, effective 10/25/91. Statutory Authority: RCW 46.70.160. 90-24-054, § 308-66-190, filed 12/3/90, effective 1/3/91; 90-10-013, § 308-66-190, filed 4/20/90, effective 5/21/90; Order MV 170, § 308-66-190, filed 7/16/73; Order 2, § 308-66-190, filed 1/29/68.]

WAC 308-66-195 Possession of certificates of ownership. How do I possess such documents? (1) A vehicle dealer must have possession of a separate certificate of ownership for each used vehicle kept in the dealer's inventory unless the certificate of ownership is in the possession of the person holding a security interest in the dealer's inventory. Possession is accomplished by the dealer obtaining either:

(a) A separate certificate of ownership in the name of the dealer, or the dealer's immediate vendor, properly assigned; or

(b) Evidence that the dealer owns the vehicle, such as a bill of sale or purchase order, together with evidence that the dealer has satisfied or paid off any lienholder on the vehicle.

(2) If there is a lienholder on any vehicle acquired by the dealer, the dealer must obtain possession of the title by paying off any balance due to the lienholder no later than the close of the second business day following the date of acquisition of the vehicle by the dealer. For purposes of this section, if a dealer takes possession of a vehicle as a trade-in, a dealer acquires that trade-in vehicle when the dealer takes possession of the vehicle and unconditionally sells another vehicle for which the trade-in vehicle is part of the price in accordance with RCW 46.70.180(4).

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-195, filed 8/3/04, effective 9/3/04; 98-20-039, § 308-66-195, filed 9/30/98, effective 10/31/98. Statutory Authority: RCW 46.70.160 and 46.70.124. 94-21-055, §

308-66-195, filed 10/13/94, effective 11/13/94; Order MV 170, § 308-66-195, filed 7/16/73.]

WAC 308-66-200 Assignment of vehicle to another dealer. How is the assignment to be done? When a dealer sells a vehicle to a second dealer, the first dealer must complete and sign the assignment, either on the secure title, on an odometer extension form or on an equivalent document if the vehicle is exempt from requiring an odometer disclosure. The retailing dealer shall complete the dealer's report of sale when applying for certificate of ownership into the name of the purchaser.

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-200, filed 8/3/04, effective 9/3/04; 96-19-025, § 308-66-200, filed 9/9/96, effective 10/10/96; Order MV 170, § 308-66-200, filed 7/16/73; Order 2, § 308-66-200, filed 1/29/68.]

WAC 308-66-210 Statement of change in business structure, ownership interest or control. When do I report such a change? (1) Any person licensed as a dealer under chapter 46.70 RCW must, within ten days following any change in its business structure, file a new application and pay original licensing fees under the new entity. In addition, any new principals including, but not limited to, new corporate officers, directors, managing partners, members or trustees, must, within ten days of assuming such function, file an application including fingerprint cards and legal and financial history.

(2) Any person licensed as a vehicle manufacturer pursuant to chapter 46.70 RCW must inform the department in writing within ten days of the change to:

(a) The business structure of the licensee company and must file a new application and pay original licensing fees under the new entity;

(b) The mailing address of the licensee;

(c) The name and address of employees or agents designated pursuant to RCW 46.70.041 and 46.70.101 to provide service or repairs to vehicles located within the state of Washington. However, if the licensee requires warranty service to be performed by all of its dealers pursuant to current service agreements on file with the department, it need not advise the department of changes in such employees or agents.

(3) Any and all changes affecting the applicability of a surety bond shall be reflected by appropriate endorsement to such bond.

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-210, filed 8/3/04, effective 9/3/04; 98-20-039, § 308-66-210, filed 9/30/98, effective 10/31/98; 96-19-025, § 308-66-210, filed 9/9/96, effective 10/10/96. Statutory Authority: RCW 46.70.160 and 1986 c 199 § 1. 87-01-016 (Order DLR 115), § 308-66-210, filed 12/9/86; Order MV 170, § 308-66-210, filed 7/16/73; Order 70-08-04, § 308-66-210, filed 8/6/70; Order 69-1, § 308-66-210, filed 8/28/69; Order 2, § 308-66-210, filed 1/29/68.]

WAC 308-66-211 Termination of business. What if I terminate the business? A dealer or a manufacturer who terminates the business shall return the license and special license plates to the department, for cancellation, within ten business days of such termination.

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-211, filed 8/3/04, effective 9/3/04; 98-20-039, § 308-66-211, filed 9/30/98, effective 10/31/98; 96-19-025, § 308-66-211, filed 9/9/96, effective 10/10/96; Order

MV 170, § 308-66-211, filed 7/16/73; Order 70-08-04, § 308-66-211, filed 8/6/70.]

WAC 308-66-212 Sale, transfer or other disposition of noncorporate licensee. When does such a transfer require a new license? Upon the sale, transfer or other disposition of fifty-one percent ownership interest in a noncorporate licensee, a new application for the appropriate license is required and the fee will be the same as for an original application.

The special license plates issued to the original licensee(s) may be assigned to the new license upon request.

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-212, filed 8/3/04, effective 9/3/04; 98-20-039, § 308-66-212, filed 9/30/98, effective 10/31/98; 96-19-025, § 308-66-212, filed 9/9/96, effective 10/10/96. Statutory Authority: RCW 46.70.160 and 46.70.041. 91-20-057, § 308-66-212, filed 9/24/91, effective 10/25/91; Order MV 170, § 308-66-212, filed 7/16/73; Order 70-08-04, § 308-66-212, filed 8/6/70.]

WAC 308-66-214 Incorporation of licensee while licensed. What if I incorporate while licensed? A licensee which incorporates or forms a limited liability company while licensed shall file a new application for the appropriate license and the fee will be the same as for an original application.

The special license plates issued to the original licensee(s) may be assigned to the new licensee upon request.

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-214, filed 8/3/04, effective 9/3/04; 98-20-039, § 308-66-214, filed 9/30/98, effective 10/31/98; 96-19-025, § 308-66-214, filed 9/9/96, effective 10/10/96. Statutory Authority: RCW 46.70.160 and 46.70.041. 91-20-057, § 308-66-214, filed 9/24/91, effective 10/25/91; Order MV 170, § 308-66-214, filed 7/16/73; Order 70-08-04, § 308-66-214, filed 8/6/70.]

WAC 308-66-220 Display of vehicles by combination wrecker-dealer. A dealer who is also an auto wrecker shall keep vehicles held for resale physically separated from vehicles which have been or are to be dismantled for parts. Vehicles not in running condition are to be stored within the segregated area of the fenced wrecking area per WAC 308-63-070(8).

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-220, filed 8/3/04, effective 9/3/04; Order 70-08-04, § 308-66-220, filed 8/6/70; Order 2, § 308-66-220, filed 1/29/68.]

WAC 308-66-225 Remanufactured vehicles in whole or in part. What is the nature of remanufacturing? (1) If the remanufacturing process of the vehicle will involve the removal, destruction, or concealment of any identification number, the parts shall be inspected by an authorized member of the Washington state patrol prior to the removal, destruction, or concealment of the number.

(2) At no time shall a vehicle that falls within the purview of WAC 308-56A-455 (assembled or homemade) or 308-56A-460 (total loss rebuilt) be considered remanufactured by a manufacturer.

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-225, filed 8/3/04, effective 9/3/04. Statutory Authority: RCW 46.70.160 and 1986 c 199 § 1. 87-01-016 (Order DLR 115), § 308-66-225, filed 12/9/86.]

WAC 308-66-227 Disclosure of title brands. How must I disclose title brands when I sell a vehicle at retail or wholesale? Any title brand required in RCW 46.70.101

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(1)(b)(xi) must be clearly disclosed on the face of the purchase order.

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-227, filed 8/3/04, effective 9/3/04; 98-20-039, § 308-66-227, filed 9/30/98, effective 10/31/98; 96-19-025, § 308-66-227, filed 9/9/96, effective 10/10/96.]

WAC 308-66-240 Bond cancellation, closure notice.

(1) When the department of licensing has received notification from a bonding company that a dealer's bond has been cancelled or the bond has expired and has not been renewed or a replacement bond has not been received with no lapse in coverage, the department shall notify the licensee to surrender the certificate issued for each license classification and dealer plates to the department.

(2) A bond cancellation closure notice may be posted by the department at the established place of business and shall remain in effect until the license and bond has been reinstated or when the current license expires.

(3) The closure notice will not be posted if the licensee voluntarily surrenders the license certificate and dealer plates and signs a statement that he/she does not plan to obtain a replacement bond or conduct further business.

[Statutory Authority: RCW 46.70.160. 98-20-039, § 308-66-240, filed 9/30/98, effective 10/31/98. Statutory Authority: RCW 46.70.160 and 46.70.070. 91-20-057, § 308-66-240, filed 9/24/91, effective 10/25/91.]

WAC 308-66-250 Internet business. Is a license required for an internet business? The department will require a Washington state dealer license for an internet business that has no physical presence in this state if that business:

(1) Brings together a Washington state customer with a licensed Washington state dealer; and

(2) Receives compensation from the customer or the dealer resulting from the actual sale or lease of a vehicle; or

(3) In any event acts as a vehicle dealer as defined in existing Washington state statutes and rules.

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-250, filed 8/3/04, effective 9/3/04.]

WAC 308-66-260 Dealer license plates—Waiver procedure. How do I request more than my allotted number of dealer license plates? (1) A licensed vehicle dealer may request a waiver of the three dealer license plates or six percent or sales formula in RCW 46.70.090(2).

The request:

(a) Must be in writing; and

(b) Must explain why the statutory formula does not satisfy the business needs of the dealer; and

(c) Must indicate how many vehicles were sold by the dealer in the past twelve months; and

(d) Must project how many vehicles are expected to be sold in the next twelve months; and

(e) Must state how many additional dealer license plates are desired as essential for the continued operation of the dealer's business.

(2) Upon receipt of a request for a waiver, the director or the director's designee will review the request and issue a final determination in writing.

(3) A waiver granted under subsection (2) of this section will remain in effect only as long as the circumstance(s)

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under which the waiver was originally granted have not changed or until the director terminates the waiver.

[Statutory Authority: RCW 46.70.160. 04-16-090, § 308-66-260, filed 8/3/04, effective 9/3/04.]

Chapter 308-67 WAC

VEHICLE DEALER MANUFACTURER FRANCHISE DISPUTES

WAC

308-67-010 Petition fee—Vehicle manufacturers and dealers.

WAC 308-67-010 Petition fee—Vehicle manufacturers and dealers. The filing fee for petitioning the department of licensing concerning franchise disputes pursuant to chapters 46.93 and 46.96 RCW is \$500.00.

[Statutory Authority: 2003 c 354 § 3(1). 06-21-037, § 308-67-010, filed 10/10/06, effective 11/10/06. Statutory Authority: 1989 c 415 §§ 4, 11(6), 18(4) and 19. 90-03-022, § 308-67-010, filed 1/10/90, effective 2/10/90.]

Chapter 308-72 WAC

MOTOR VEHICLE FUEL TAX

WAC

308-72-50901 Waiving of bond requirement.
 308-72-720 Dishonored checks.
 308-72-800 Definitions.
 308-72-805 Payment due dates for motor vehicle fuel taxes.
 308-72-810 Collateral requirements in lieu of surety bond(s).
 308-72-815 Cancellation or revocation of motor vehicle fuel license(s).
 308-72-820 Tax exempt transactions.
 308-72-830 Tax exempt sales.
 308-72-835 Tax exempt losses.
 308-72-840 Delinquent account notification process.
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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-72-010, 308-72-020, 308-72-030, 308-72-040, 308-72-050, 308-72-060, 308-72-070, 308-72-080, 308-72-090, 308-72-100, 308-72-110, 308-72-120, 308-72-130, 308-72-140, 308-72-150, 308-72-160, 308-72-170, 308-72-180, 308-72-190, 308-72-200, 308-72-210, 308-72-220, 308-72-230, 308-72-240, 308-72-250, 308-72-260, 308-72-270, 308-72-280, 308-72-290, 308-72-300, 308-72-310, 308-72-320, 308-72-350, 308-72-355, 308-72-360, 308-72-365, 308-72-370, 308-72-375, 308-72-380, 308-72-385, 308-72-390. [Regulation I through XI, § 308-72-010 through 308-72-320 and 308-72-350 through 308-72-390, filed 3/23/60.] Repealed by Order 107MV, filed 9/10/71.

308-72-500 Motor vehicle fuel. [Order 107MV, § 308-72-500, filed 9/10/71.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.

308-72-501 Exports. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-72-501, filed 11/19/98, effective 1/1/99.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.

308-72-502 Sale or distribution at wholesale. [Statutory Authority: RCW 82.36.435. 88-23-015 (Order PFT 88-004), § 308-72-502, filed 11/7/88; 88-07-095 (Order PFT 88-003), § 308-72-502, filed 3/22/88.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.

308-72-503 Motor vehicle fuel supplier. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-72-503, filed 11/19/98, effective 1/1/99.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.

308-72-504 Bona fide wholesale merchant. [Statutory Authority: RCW 82.36.435. 88-07-095 (Order PFT 88-003), § 308-72-504, filed 3/22/88.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.

308-72-505 Electronic fund transfers. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-72-505, filed 11/19/98, effective 1/1/99.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.

308-72-506 Application for distributor's license. [Statutory Authority: RCW 82.36.435. 88-07-095 (Order PFT 88-003), § 308-72-506, filed 3/22/88.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.

308-72-508 Requirements to qualify for a motor vehicle fuel distributor license. [Statutory Authority: RCW 82.36.435. 88-07-095 (Order PFT 88-003), § 308-72-508, filed 3/22/88.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.

308-72-509 Bonding requirements. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-72-509, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435. 90-13-037 (Order PFT 90-03), § 308-72-509, filed 6/14/90, effective 7/15/90.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.

308-72-510 Property statement in lieu of a bond. [Statutory Authority: RCW 82.36.060. 92-21-010, § 308-72-510, filed 10/12/92, effective 11/12/92; Order 107MV, § 308-72-510, filed 9/10/71.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.

308-72-512 Cancellation of license. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-72-512, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435. 88-07-095 (Order PFT 88-003), § 308-72-512, filed 3/22/88.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.

308-72-520 Reports. [Statutory Authority: RCW 82.36.435. 90-13-037 (Order PFT 90-03), § 308-72-520, filed 6/14/90, effective 7/15/90; Order 474-DOL, § 308-72-520, filed 12/30/77; Order 107MV, § 308-72-520, filed 9/10/71.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.

308-72-530 Import deliveries. [Order 107MV, § 308-72-530, filed 9/10/71.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.

308-72-540 Tax exempt transactions. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-72-540, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435. 90-13-037 (Order PFT 90-03), § 308-72-540, filed 6/14/90, effective 7/15/90; 88-07-095 (Order PFT 88-003), § 308-72-540, filed 3/22/88; Order 107MV, § 308-72-540, filed 9/10/71.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.

308-72-542 Tax exempt sales to qualified personnel of foreign governments. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-72-542, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435. 90-13-037 (Order PFT 90-03), § 308-72-542, filed 6/14/90, effective 7/15/90.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.

- 308-72-543 Alcohol exemption. [Statutory Authority: RCW 82.36-.435, 94-11-055, § 308-72-543, filed 5/10/94, effective 6/10/94.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.
- 308-72-550 Tax exempt losses. [Statutory Authority: RCW 82.36-.435 and 82.38.260, 98-24-011, § 308-72-550, filed 11/19/98, effective 1/1/99; Order 107MV, § 308-72-550, filed 9/10/71.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-555 Delinquent account notification process. [Statutory Authority: RCW 82.36.435 and 82.38.260, 98-24-011, § 308-72-555, filed 11/19/98, effective 1/1/99.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-557 Refund for bad debt loss (other than a motor fuel supplier). [Statutory Authority: RCW 82.36.435 and 82.38.260, 98-24-011, § 308-72-557, filed 11/19/98, effective 1/1/99.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36-.435.
- 308-72-560 Records. [Statutory Authority: RCW 82.36.435 and 82.38.260, 98-24-011, § 308-72-560, filed 11/19/98, effective 1/1/99; Order 107MV, § 308-72-560, filed 9/10/71.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-570 Invoices. [Statutory Authority: RCW 82.36.435 and 82.38.260, 98-24-011, § 308-72-570, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435, 90-13-037 (Order PFT 90-03), § 308-72-570, filed 6/14/90, effective 7/15/90; Order 107MV, § 308-72-570, filed 9/10/71.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-600 Tax refund. [Order 107MV, § 308-72-600, filed 9/10/71.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.
- 308-72-610 Refund claim number. [Statutory Authority: RCW 82.36.435 and 82.38.260, 98-24-011, § 308-72-610, filed 11/19/98, effective 1/1/99; Order 470-DOL, § 308-72-610, filed 12/30/77; Order MV 175, § 308-72-610, filed 10/24/73; Order 107MV, § 308-72-610, filed 9/10/71.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-615 Interest assessment on refund claims. [Statutory Authority: RCW 82.36.435 and 82.38.260, 98-24-011, § 308-72-615, filed 11/19/98, effective 1/1/99.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-620 Filing of claim. [Statutory Authority: RCW 82.36.435 and 82.38.260, 98-24-011, § 308-72-620, filed 11/19/98, effective 1/1/99; Order 107MV, § 308-72-620, filed 9/10/71.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-630 Invoice requirements, seller responsibility. [Statutory Authority: RCW 82.36.435 and 82.38.260, 98-24-011, § 308-72-630, filed 11/19/98, effective 1/1/99; Order 107MV, § 308-72-630, filed 9/10/71.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-640 Records. [Statutory Authority: RCW 82.36.435 and 82.38.260, 98-24-011, § 308-72-640, filed 11/19/98, effective 1/1/99; Order 107MV, § 308-72-640, filed 9/10/71.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-650 Refunds to dealer delivering fuel exclusively for marine use. [Statutory Authority: RCW 82.36.435 and 82.38.260, 98-24-011, § 308-72-650, filed 11/19/98, effective 1/1/99; Order 107MV, § 308-72-650, filed 9/10/71.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-660 Power take-off use. [Statutory Authority: RCW 82.36.435 and 82.38.260, 98-24-011, § 308-72-660, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435, 94-11-055, § 308-72-660, filed 5/10/94, effective 6/10/94; Order 107MV, § 308-72-660, filed 9/10/71.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-665 On board computers or recording devices. [Statutory Authority: RCW 82.36.435, 94-11-055, § 308-72-665, filed 5/10/94, effective 6/10/94.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-670 Auxiliary engines. [Statutory Authority: RCW 82.36-.435 and 82.38.260, 98-24-011, § 308-72-670, filed 11/19/98, effective 1/1/99; Order 107MV, § 308-72-670, filed 9/10/71.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-680 Gasoline lost or destroyed. [Order 107MV, § 308-72-680, filed 9/10/71.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-690 Special rules and requirements for fuel tax refunds. [Statutory Authority: RCW 82.36.435, 94-11-055, § 308-72-690, filed 5/10/94, effective 6/10/94; 90-13-037 (Order PFT 90-03), § 308-72-690, filed 6/14/90, effective 7/15/90; Order 107MV, § 308-72-690, filed 9/10/71.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-700 Use tax. [Order 107MV, § 308-72-700, filed 9/10/71.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.
- 308-72-710 Mitigation of penalties and interest. [Statutory Authority: RCW 82.36.435, 92-01-016, § 308-72-710, filed 12/6/91, effective 1/6/92.] Repealed by 01-22-072, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.36.435.

WAC 308-72-50901 Waiving of bond requirement.

(1) **Can the department waive the requirement to maintain a fuel tax bond?** Yes. The department may waive the bonding requirement of a licensed distributor if, upon determination by the department, the licensed distributor has sufficient financial instruments to extinguish any Washington state fuel tax liability, including penalties and interest, incurred while acting as a licensed distributor.

(2) **What is considered a financial instrument?** For purposes of this rule, a financial instrument is either:

(a) A line of credit with a financial institution or supplier covering the cost of product and fuel tax liability incurred by the distributor; or

(b) Lawful money of the United States, or bonds or other obligations of the United States, the state, or any county of the state, deposited with the state treasurer.

(3) **How can I qualify to have my bonding requirement waived?** You may qualify to have your bonding requirement waived upon:

(a) Filing a notarized statement with the department stating that your line(s) of credit with your financial institution(s) and your fuel supplier(s) is at a sufficient amount to include product cost and state fuel taxes. You must indicate the name of the financial institution(s), the account number(s) and dollar value of your line(s) of credit, and the name(s) of your fuel supplier(s). You must authorize the department to access this information with your financial institution(s) and supplier(s) for verification purposes; or

(b) Depositing in a financial institution an amount equal to the estimated monthly fuel tax payments and assigning this deposit to the department as security for performance under chapter 82.36 RCW; and

(c) Providing the department with documentation, satisfactory to the department, indicating that the supplier(s) will not allow the licensed distributor to incur a liability, including fuel tax, in excess of the line(s) of credit, if applicable.

(4) **What if the department denies my request for a waiver of the bond requirement?** You can appeal this decision as provided in chapters 82.36 RCW and 308-72 WAC.

(5) What if I no longer maintain a line of credit or financial instrument? You must provide a surety bond to the department in the amount required by chapter 82.36 RCW, with a coverage commencement date on or before the date the line of credit or financial instrument was extinguished.

[Statutory Authority: RCW 82.36.435 and 82.38.260. 02-02-010, § 308-72-50901, filed 12/20/01, effective 1/20/02.]

WAC 308-72-720 Dishonored checks. (1) **What will happen if my check becomes dishonored?** A dishonored check represents failure to pay motor vehicle fuel taxes, fees and/or penalties and interest when due, and the department will enforce such motor fuel licensing and taxing laws as are necessary to recover the unpaid taxes and fees when they become due and payable.

(2) **What form of payment does the department require for dishonored checks?** Any registrant who tenders a check that is subsequently dishonored by a financial institution upon which it was drawn, may be required to tender all subsequent payments in certified funds, i.e., cash, cashier's check, certified check, traveler's check, official check, or money order.

(3) **Are there any additional fees charged for a dishonored check (DHC)?** Yes, a handling fee shall be assessed by the department for each check dishonored by the financial institution.

[Statutory Authority: RCW 46.01.110, 82.36.435, 82.38.260, 82.42.040, 46.87.010(2). 00-08-032, § 308-72-720, filed 3/28/00, effective 4/28/00.]

WAC 308-72-800 Definitions. (1) "Gasoline" means finished gasoline and gasoline blendstocks as defined in Code of Federal Regulations (CFR) 48.481-1 (e)(3). Finished gasoline means all products (including gasohol) that are commonly or commercially known or sold as gasoline and are suitable for use as motor fuel. The product must have an octane rating of 75 or more.

(2) "Export" means to obtain motor vehicle fuel in this state for sale or distribution outside this state. To be considered an "export" and qualify for exemption from the motor vehicle fuel tax, motor vehicle fuel obtained outside the bulk transfer terminal system must be physically off-loaded in the destination state, province, or foreign country. The exporter must be licensed or registered, if required, in that state, province, or country of destination.

(3) "Motor vehicle fuel" means any product commonly or commercially sold as gasoline as defined in CFR 48.481-1 (e)(3). The blending of any product(s) or chemical(s) with gasoline or any other inflammable liquid and the resultant product is sold or used for the propulsion of motor vehicles shall be considered a motor vehicle fuel subject to the provisions of chapter 82.36 RCW.

(4) "Motor vehicle fuel supplier" means a person who is licensed as a supplier under chapter 82.36 RCW, and must hold a federal certificate of registry issued under the Internal Revenue Code authorizing the person to enter into federal tax free transactions on motor vehicle fuel in the bulk transfer-terminal system.

(5) "Invoice" means any document, paper or electronic, evidencing the transfer of ownership of motor vehicle fuel.

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[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-800, filed 11/1/01, effective 12/2/01.]

WAC 308-72-805 Payment due dates for motor vehicle fuel taxes. (1) **What if the payment due date falls on a Saturday, Sunday or state legal holiday and payment is by electronic funds transfer?** If you are paying your motor vehicle fuel tax by electronic funds transfer, you must transfer the funds by the state business day immediately preceding the due date. (For example, if the payment due date falls on Saturday, you must transfer the funds by Friday.)

(2) **What if my payment is not made by electronic funds transfer?** If you are not paying your motor vehicle fuel tax by electronic funds transfer, then payment is due on the next state business day. (For example, if the payment due date falls on Saturday, the payment must be postmarked by Monday.)

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-805, filed 11/1/01, effective 12/2/01.]

WAC 308-72-810 Collateral requirements in lieu of surety bond(s). (1) **What other forms of collateral will the department accept in lieu of a surety bond?** The department will accept certificates of deposit of lawful money of the United States in any of the following forms:

(a) Automatically renewable certificate(s) of deposit insured by the federal deposit insurance corporation, made in the name of the licensee or applicant for the license, payable to or assigned to the Washington state treasurer; or

(b) Certificate(s) of deposit or share account issued by a savings and loan association insured by the federal savings and loan insurance corporation. Evidence of the insured account, in the form of either a certificate of deposit or passbook, must be filed with the department along with a properly executed assignment form whereby the fund on deposit is assigned to the Washington state treasurer; or

(c) Certificate(s) of deposit or share account, issued by a credit union doing business in the state of Washington and insured by the Washington credit union share guaranty association. Evidence of the insured account, in the form of either a certificate of deposit or passbook, must be filed with the department along with a properly executed assignment form whereby the fund on deposit is assigned to the Washington state treasurer; or

(d) Cash deposits are acceptable, however interest will not accrue.

(2) **Do I earn interest on my certificates of deposit?** Yes, the certificate and/or the assignment forms shall contain the provision that interest earned will be payable to the depositor. Assignments may only be canceled upon written authorization of the department.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-810, filed 11/1/01, effective 12/2/01.]

WAC 308-72-815 Cancellation or revocation of motor vehicle fuel license(s). (1) **Under what circumstances will my license be canceled?** Pursuant to RCW 82.36.190, a license may be canceled by the department under the following circumstances:

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(a) Upon written request of the licensee, the cancellation will become effective within sixty days from receipt of the written request.

(b) Upon investigation and sixty days' notice to the licensee if the department determines the licensee is no longer engaged in the sale or distribution of motor vehicle fuel for a period of six consecutive months prior to the cancellation.

(c) Upon failure to file a new surety bond or to make deposits (cash) in accordance with RCW 82.36.060, or when the surety bond issuer requests to be released or discharged.

(d) Upon failure to file new or additional surety bond or to deposit additional securities within thirty days after being requested to do so by the department.

(2) **How do I request to have my license canceled?** A written request for cancellation and any required tax returns up to the date of cancellation must be forwarded to the department with a remittance of any tax, penalty and interest due.

(3) **Under what circumstances may my license be suspended or revoked?** A license suspension or revocation is initiated by the department for cause as defined in RCW 82.36.190.

(4) **What happens when my license is canceled, suspended or revoked?** The department will notify all motor vehicle fuel suppliers, importers, exporters, blenders and distributors of the change in license status.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-815, filed 11/1/01, effective 12/2/01.]

WAC 308-72-820 Tax exempt transactions. (1) When are export transactions tax exempt? Exemption of the motor vehicle fuel tax may be claimed under the following circumstances:

(a) Fuel owned by the exporter and delivered by the exporter to a customer at a point outside the state by means of equipment owned and operated or controlled by the licensee.

(b) By a licensee for transportation to a destination outside the state under a bill of lading or a shipping contract that definitely establishes that the licensee claiming the export actually and, in fact, retains title to, and control over, said fuel until actual delivery to its destination out of the state of Washington.

(2) **When are sales to the United States armed forces and National Guard tax exempt?** A licensed supplier is authorized to remove motor vehicle fuel from the bulk transfer terminal system without the imposition of the tax when the motor vehicle fuel is delivered:

(a) To the United States armed forces or National Guard under a bill of lading for the express purpose of exportation from the state by the armed forces or National Guard.

(b) Into the fuel tanks of ships operated by the United States armed forces or National Guard and bearing armed forces or National Guard identification names or numbers.

(c) Into the storage facilities of the United States armed forces or National Guard maintained exclusively for the purpose of fueling ships.

(3) **Are sales to qualified foreign diplomatic and consular missions tax exempt?** Tax exempt sales of motor vehicle fuel may be made to qualified foreign diplomatic, consular missions and their qualified personnel if the diplomatic, consular missions and qualified personnel maintain

tax exempt credit card accounts. Motor vehicle fuel purchased by cash is not tax exempt.

(4) **What is required for a licensee to issue a credit card to qualified foreign government personnel?** Application must be accompanied by Form DSP-99A, issued by the Office of Foreign Missions, United States Department of State, and approved by that office.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-820, filed 11/1/01, effective 12/2/01.]

WAC 308-72-830 Tax exempt sales. (1) How are tax exempt sales reported to the department? Tax exempt sales shall be reported and supported by Schedule 10, Uniform Fuel Tax Multiple Schedule of Disbursements (Form FT 441-841). A separate schedule for each category of exempt sales must be submitted with the tax return. For export sales, a separate Schedule 10 must be submitted for each state or foreign jurisdiction of destination. The department shall furnish the government agency of the state or foreign jurisdiction of destination a copy of this Schedule 10 to give information on the movement of untaxed fuel across state lines.

(2) **What if the delivery is onto a federally recognized Indian reservation or onto Indian country?** In the case of a delivery onto a federally recognized Indian reservation or onto Indian country, the invoice must identify the state within the contiguous United States, Hawaii, Alaska, District of Columbia, U.S. possession, or Canadian Province in which the delivery took place.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-830, filed 11/1/01, effective 12/2/01.]

WAC 308-72-835 Tax exempt losses. (1) What is considered a tax exempt loss? Credit for or a refund of the motor vehicle fuel tax paid may be taken when the licensee or the common or contract carrier furnishes acceptable proof of the exact quantity of fuel lost if documents in support of the loss are submitted to the department for approval as provided in RCW 82.36.370.

(2) **What is acceptable proof of loss?** Acceptable proof of loss shall consist of:

(a) A notarized affidavit by a person having actual knowledge of the circumstances of the loss, explaining the origin and destination of the shipment, the circumstances surrounding the quantity of fuel lost, fuel salvaged, disposition of the salvaged fuel, and procedure(s) used in the determination of the quantity of fuel lost;

(b) A signed statement by a federal, state, local or provincial official who has authority to investigate and/or deal with fuel losses; or witness to the loss;

(c) A bill of lading or other shipping document(s);

(d) A statement by the licensee establishing ownership of the fuel at time of loss.

(3) **Are deductions for losses from bulk storage allowed?** Yes, motor vehicle fuel that has been proven lost or destroyed, prior to distribution from a licensee's bulk storage facility outside of the bulk transfer terminal system, is allowed as a deduction as provided in RCW 82.36.370.

(4) **How long shall I retain my evidence substantiating my loss?** Documentary evidence substantiating losses shall be retained by the licensee for five years.

(5) **May I claim a deduction for unproved losses?** No, unproved losses will be considered as distribution and subject to fuel tax.

(6) **Am I liable for fuel taxes when one of my employees or agents causes a loss of fuel?** Yes, charges for losses made by employees or agents of the licensee who fail to satisfactorily account for fuel shall be invoiced inclusive of the fuel tax. Other losses shall be accounted for and supported by proof.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-835, filed 11/1/01, effective 12/2/01.]

WAC 308-72-840 Delinquent account notification process. (1) What steps must be taken when a licensed motor vehicle fuel distributor does not pay a licensed motor vehicle fuel supplier the motor vehicle fuel tax when due?

(a) When a licensed distributor does not pay a licensed supplier the motor vehicle fuel taxes that are due, the supplier must notify the department no later than twenty calendar days from the date the fuel tax was due to the supplier. If that twentieth day falls on a Saturday, Sunday, or legal holiday, the supplier must notify the department on the next business day.

(b) The supplier must complete the form that has been developed by the department for this purpose or timely provide written notification to the department. Receipt of written notification constitutes evidence that the distributor has failed to pay the motor vehicle fuel taxes owed.

(2) **What action will the department take when notified by the supplier of the distributor's failure to pay?** The department will suspend the distributor's license for non-payment of motor vehicle fuel tax due the supplier and notify all suppliers of the suspension in the following ways:

(a) Posting notification of the suspension on the department's web site;

(b) Transmission of the notification via electronic mail or facsimile; and

(c) Mailing of the notification via U.S. mail.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-840, filed 11/1/01, effective 12/2/01.]

WAC 308-72-845 Refund for bad debt loss (other than a motor fuel supplier). (1) Can taxes paid on worthless accounts receivable be refunded? Yes, a refund may be requested for tax paid on a worthless accounts receivable under RCW 82.36.373 if you:

(a) Are a licensed motor vehicle fuel importer, motor vehicle fuel blender, or motor vehicle fuel distributor; and

(b) Paid tax on an account found to be a worthless accounts receivable; and

(c) Charged off the amount as a bad debt on your federal income tax return; and

(d) Filed the claim within five years of the date of sale.

(2) **What documentation must be submitted to the department to claim a refund on a bad debt that has been charged off?** The following must be submitted:

(a) The portion of the federal income tax return and a supporting schedule that lists the bad debt as being charged off; and

(b) Invoices supporting fuel sales being claimed as bad debt; and

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(c) Name and address of the purchaser; and

(d) Motor vehicle fuel tax return; or

(e) Refund claim form.

(3) **Can a tax refund be claimed for expenses related to the collection of a bad debt?** No, a tax refund cannot be claimed for expenses incurred in collecting a bad debt.

(4) **If motor vehicle fuel tax previously declared as worthless accounts receivable is collected, how is it remitted to the department?**

(a) A motor vehicle fuel importer or motor vehicle fuel blender that collects any motor vehicle fuel tax previously taken as a tax refund on a worthless accounts receivable must remit the motor vehicle fuel tax with the tax return for the reporting period the motor vehicle fuel tax was collected in.

(b) A motor vehicle fuel distributor must remit the motor vehicle fuel tax collected, with a form provided by the department, no later than the last state business day of the month following the month of collection.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-845, filed 11/1/01, effective 12/2/01.]

WAC 308-72-850 Records. What motor vehicle fuel records must be kept? Every person licensed or required to be licensed shall maintain a complete monthly stock summary of the gallons of motor vehicle fuel reflecting inventories, receipts, sales, use, other distribution, and loss or gain. The stock summary shall be supported by:

(1) Physical inventories of bulk storage plants taken at the close of each calendar month.

(2) Meter readings taken at the close of each calendar month for pumps through which fuel is dispensed.

(3) A record of fuel receipts together with invoices, bills of lading, transfer documents, yield reports and other documents relative to the acquisition of fuel.

(4) A record of fuel disbursements together with invoices, bills of lading and other documents relative to the disbursements of fuel.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-850, filed 11/1/01, effective 12/2/01.]

WAC 308-72-855 IFTA records. Are there additional recordkeeping requirements for IFTA motor vehicle fuel users when leasing a vehicle? Yes. A lessor of a vehicle who is an IFTA motor vehicle fuel user shall also maintain records of each trip and all mileage when the lessor's vehicle is operated by the lessee for less than thirty days. The lessor must obtain from the lessee, and retain in the lessor files, the original copy of all invoices substantiating claims by the lessor for purchases of tax paid motor vehicle fuel. If a lease is for more than thirty days, the lease agreement will determine who maintains the records.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-855, filed 11/1/01, effective 12/2/01.]

WAC 308-72-860 Investigatory power. What investigatory powers does the department have? For the purpose of any investigation or proceeding under this chapter and chapter 82.36 RCW, the director or any designated officer may administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the pro-

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duction of any books, papers, correspondence, memoranda, agreements, or other documents or records which the director deems relevant or material to the inquiry.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-860, filed 11/1/01, effective 12/2/01.]

WAC 308-72-865 Invoices issued by licensees. (1)

When is an invoice issued? Every licensee shall issue an invoice at the time of sale. If an electronic invoice is issued, a paper copy of the invoice or other documentation containing required information must be produced if required by the department or to support a refund claim.

(2) What information must appear on each invoice?

Each invoice must include the following information:

- (a) The name and address of the seller;
- (b) The name, address, and motor vehicle fuel tax license number, if applicable, of the purchaser;
- (c) The date of delivery (month, day and year);
- (d) The location of the point of shipment. Alphanumeric codes are allowed if the definitions of the alphanumeric codes are provided to the department;
- (e) The physical address of the fuel delivery or exchange if different than the purchaser address, including the name of the state, Canadian Province, or foreign country. Alphanumeric codes are allowed if the definitions of the alphanumeric codes are provided to the department;
- (f) Name of carrier transporting fuel;
- (g) Name of product sold;
- (h) The number of U.S. gallons of product sold (must indicate net or gross gallons);
- (i) The price per gallon and total amount charged;
- (j) A statement on the invoice indicating whether the fuel has been sold without the Washington state fuel tax;
- (k) In the case of a delivery onto a federally recognized Indian reservation or onto Indian country, the invoice must identify the state within the contiguous United States, Hawaii, Alaska, District of Columbia, U.S. possession, or Canadian Province in which the delivery took place.

(3) What happens if a purchaser's invoice is lost or destroyed? If an invoice is lost or destroyed the seller shall issue a duplicate or copy containing all information that appeared on the original invoice, if requested by the purchaser. The copies shall be plainly marked "copy" or "duplicate."

(4) What happens if an incorrect invoice is issued to the purchaser? The seller must issue a corrected invoice to the purchaser. The invoice must clearly indicate that it is a corrected invoice and reference the original invoice.

(5) What documentation does a licensed supplier, importer or blender need in order to support taxable motor vehicle fuel consumed for their own use? Fuel used in motor vehicles or for other taxable purposes by a licensed supplier, importer or blender shall be supported by records covering the total fuel used during the reporting period.

(6) What documentation does a distributor need in order to claim a refund for nontaxable use of motor vehicle fuel? If motor vehicle fuel is used for a purpose subject to tax refund, the distributor must have supporting invoices or records indicating the use of the motor vehicle fuel and the type(s) of equipment it is used in.

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[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-865, filed 11/1/01, effective 12/2/01.]

WAC 308-72-870 Minimum tax payment/refund.

What is the minimum tax payment or refund? Each tax return that declares a tax liability of ten dollars or less need not make remittance; conversely, a refund of ten dollars or less will not be issued. A computation error on the tax return which results in an additional tax liability in the amount of ten dollars or less will be accepted without further collection action.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-870, filed 11/1/01, effective 12/2/01.]

WAC 308-72-880 Filing of refund claims for nonlicensees. (1) How do I apply for a refund? Any person claiming a refund of the motor vehicle fuel tax must make application to the department and be issued a refund permit number.

(2) When can I file a refund claim? A refund claim may be filed at any time not to exceed a thirteen-month time limit from the date of purchase. If you claim a refund for fuel purchased in any month of a claimed period, you may not claim additional purchases for that month on another claim. The department will use the postmark date to determine the eligibility of the claim.

(3) Do I need to send in my invoices with the refund claim request? If your refund claim request is one hundred dollars or less, you do not have to send your purchase invoices with your refund claim unless required by the department. If your refund claim request is more than one hundred dollars, purchase invoices are required. If electronic invoices were issued to the claimant, paper copies of the invoices or other documentation containing required information must be submitted with the refund claim.

(4) How shall I account for my inventory on my refund claim form? Any fuel on hand (by physical measurement) at the end of the claim period should be indicated on the claim as ending inventory and should be reported as a beginning inventory on the next refund claim form. Credit for the inventory will be allowed on the next claim if it is filed within thirteen months from the filing date of the claim that established the inventory. All invoices for the total fuel purchased must be submitted with each claim unless the amount of the claim is one hundred dollars or less.

(5) As a licensed distributor do I need to send in supporting summary schedules and invoices with my refund claim request? Yes. Summary schedules must be provided by the distributor. Invoices may be requested by the department.

(6) Who may sign a refund claim form? The following persons may sign a refund claim form:

- (a) Individuals - permit holder;
- (b) Partnership - any one of the partners;
- (c) Business firm or corporation - owner, corporate officer or other authorized agent.

(7) Can invoices be in a different name than what is on the claim form? No, invoices made out in other names will not be accepted.

(8) Can I request that my refund be assigned to another person? Yes, if a letter of assignment is attached,

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signed by the person to whom the invoice was issued, designating the payee.

(9) **How long will it take until I receive my refund?** Properly completed refund claims will be processed and mailed within thirty business days of date of receipt.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-880, filed 11/1/01, effective 12/2/01.]

WAC 308-72-885 Interest assessment on refund claims. When would the department pay interest on my refund claim? If the department does not issue the refund within thirty business days, interest is due. The first day of the thirty-day period within which the department must issue the refund begins on the date the properly filed and completed refund claim is received and date stamped by the department. The postmark date on the envelope is not considered the received date for this purpose.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-885, filed 11/1/01, effective 12/2/01.]

WAC 308-72-890 Invoice requirements for refunds to nonlicensees. (1) What are the invoice requirements? The seller of motor vehicle fuel is required to issue to each purchaser separate invoices for each purchase of fuel. However, a single invoice covering multiple deliveries made during a period of time not to exceed one calendar month may constitute a separate invoice as required by this subsection: Provided, That each delivery is individually listed on the invoice or on an accompanying statement in accordance with the requirements of this subsection for single deliveries.

(2) **What information must be included on the invoice?** Each invoice must contain the following information:

- (a) Name and address of the seller;
- (b) Kind or type of fuel and number of gallons purchased;
- (c) Complete date of sale (month, day and year);
- (d) Price per gallon; and
- (e) Total amount of sale.

(3) **Will the department accept invoices with altered, corrected or erased information?** Invoices that indicate alterations, corrections or erasures shall be voided and will not be accepted. Any person who alters any part of an invoice that will tend to give the claimant an illegal gain may have the entire claim invalidated and the director may suspend any further claims for refund for a period of one year. If an electronic invoice was issued, then a paper copy of the electronic invoice or other documentation containing required information must be submitted.

(4) **What happens if an invoice is lost or destroyed?** If an invoice is lost or destroyed, the seller may issue a duplicate or copy containing the invoice number, date of sale, gallonage, price and amount, and any information that appeared on the first invoice. The copies shall be plainly marked "copy" or "duplicate."

(5) **What happens if I issued an incorrect invoice to the purchaser?** Sellers of fuel shall issue a corrected invoice to the purchaser. The invoice must clearly indicate that it is a corrected invoice and reference the original invoice. Only one invoice shall be issued for any one delivery.

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[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-890, filed 11/1/01, effective 12/2/01.]

WAC 308-72-895 Refund records. (1) What records does the department require to be retained by each claimant? Each claimant shall retain records that reflect all motor vehicle fuel receipts, the gallons of fuel used in each type of equipment (both refundable and nonrefundable), other uses, loss and gain, and inventory on hand. The records must indicate the date of receipt or disbursements and identify the equipment into which the fuel is delivered or the purpose for which the fuel is used.

Failure of the claimant to maintain the required records or to accede to a demand for examination of them constitutes a waiver of all rights to the refund. If the claimant maintains electronic invoices, paper copies of these invoices or other documentation containing required information must be produced, upon demand of the department.

(2) **What records must be maintained to support a refund claim for each of the following uses?**

(a) Use of fuel from bulk storage. Fuel purchased and delivered into bulk storage for taxable and nontaxable use must be accounted for by detail withdrawal records to show the manner in which used.

(b) Use of fuel from other than bulk storage. Fuel purchased in small containers, ten gallons or less, for nonhighway use should be identified by the purchaser on the purchase invoice, i.e., boats, tractors, power saws, etc.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-895, filed 11/1/01, effective 12/2/01.]

WAC 308-72-900 Refunds to dealer delivering fuel exclusively for marine use. (1) When can a marine dealer file a refund claim? Marine dealers may file claim for refund under the following conditions:

(a) Motor vehicle fuel must be delivered directly into the fuel tanks connected to the engine of any marine vessel owned or operated by the purchaser;

(b) The purchaser must be a holder of a valid motor vehicle fuel tax refund claim number at the time of sale.

(2) **What documentation is needed to apply for a refund for a marine dealer?** The purchaser must provide the dealer with a refund claim number at the time of purchase and the refund claim shall be supported by:

(a) Invoices covering fuel deliveries into the dealer's storage facilities.

(b) Invoices covering tax exempt sales of motor vehicle fuel. These invoices shall, in addition to the applicable invoice requirements of WAC 308-72-630, contain:

(i) A Washington registration number or an official registration number from another jurisdiction;

(ii) The applicable sales tax;

(iii) A statement on the invoice indicating the fuel has been sold without the Washington state fuel tax.

(c) A marine exemption certificate issued by the department, completed by the marine dealer and signed by the purchaser assigning refund rights to the distributor.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-900, filed 11/1/01, effective 12/2/01.]

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WAC 308-72-905 Power take-off use. (1) **What is power take-off use?** Fuel used in a motor vehicle engine to operate auxiliary equipment provided that the fuel used is supplied from the propulsion tank of the motor vehicle.

(2) **What is not considered auxiliary equipment?** Equipment that is considered an integral part of the operation of the vehicle, such as air conditioning, power steering, generator, etc.

(3) **What formula does the department use in determining power take-off usage for fuel and heating oil pumping?**

(a) For gasoline used in pumping fuel oil or heating oil by means of a power take-off unit on a delivery truck at the rate of three-fourths of one gallon for each one thousand gallons of fuel or heating oil delivered. Fuel oil delivery truck operators must maintain records which show the total gallons of fuel oil or heating oil pumped by each vehicle for which refund is claimed together with supporting documentation.

(b) For gasoline used in operating a power take-off unit on any of the vehicles listed herein when direct measurement is not feasible, the tax exemption is calculated at the rate specified as a percentage of the total Washington taxable fuel used by the vehicles:

Cement mixer	25%
Fire trucks (private)	25%
Mobile cranes	25%
Garbage trucks (with load compactor)	25%
Sewer cleaning truck/jet vactor	25%
Super suckers	25%
Line truck with digger/derrick or aerial lift	20%
Log truck with self loader	20%
Refrigeration trucks	20%
Sweeper trucks (must be motor vehicle)	20%
Boom truck/block boom	15%
Bulk feed truck	15%
Dump trailers	15%
Dump trucks	15%
Hot asphalt distribution truck	15%
Leaf truck	15%
Lime spreader	15%
Pneumatic tank truck	15%
Salt spreader on dump truck	15%
Seeder truck	15%
Semiwrecker	15%
Service truck with jack hammer/drill	15%
Snow plow	15%
Spray truck	15%
Tank transport	15%
Tank trucks	15%
Truck with PTO hydraulic winch	15%
Wrecker	15%
Car carrier with hydraulic winch	10%
Carpet cleaning van	10%
Others	7.5%

(4) **What if my fuel consumption is greater than the percentages indicated?** If a claimant can provide satisfactory documentation and records to show that the fuel consumed by the power take-off is greater than the percentages indicated, the department may grant the higher percentage on a case-by-case basis.

(5) **What documents must accompany the refund claims?** All claims must be accompanied by valid purchase invoices to cover the total gallons of gasoline purchased, except that invoices for gasoline used in fuel oil delivery trucks or when measured by a metering device need only be equal to or greater than the gallons claimed as refundable. A support schedule for Washington power take-off and power pumping credits shall accompany each claim for refund.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-905, filed 11/1/01, effective 12/2/01.]

WAC 308-72-910 On board computers or recording devices. Can I use on board computers or recording devices to record mileage? Yes, the use of on board computers or recording devices for the production of mileage records required by the International Fuel Tax Agreement (IFTA) shall be governed by the requirements or procedures adopted by the International Fuel Tax Agreement (IFTA).

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-910, filed 11/1/01, effective 12/2/01.]

WAC 308-72-915 Special rules and requirements for fuel tax refunds. (1) **Can I claim a refund for motor vehicle fuel used in my recreational snowmobile?** No. Motor vehicle fuel tax refunds are prohibited by RCW 46.10.160(2).

(2) **Can I claim a refund for motor vehicle fuel used in my unlicensed recreational off road vehicles, all terrain vehicles and snowmobiles?** No, any recreational use of off road vehicles, all terrain vehicles and snowmobiles, although considered a nonhighway use of fuel, shall not be claimed for refund of the motor vehicle fuel tax paid.

(3) **Can I claim a refund for motor vehicle fuel used in my unlicensed off road vehicles, all terrain vehicles and snowmobiles?** Yes, if the motor vehicle fuel is used for non-recreational purposes such as farming, logging, and construction. Off road vehicles, all terrain vehicles and snowmobiles are defined in RCW 46.09.020, 46.10.010 (3) and (2) respectively.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-915, filed 11/1/01, effective 12/2/01.]

WAC 308-72-920 Use tax. (1) **Will use tax be deducted from my refund claim?** Yes, use tax may be deducted from your fuel tax refund amount as imposed by chapter 82.12 RCW.

(2) **How is use tax computed?** The claimant may calculate the use tax amount using the actual use tax rate(s) and actual cost per gallon or the department will calculate the use tax amount using an average use tax rate and average price per gallon. Either method chosen by the claimant must be used for each refund claim submitted during a calendar year, unless there has been a change in the department's estimated average fuel cost during that period. If computed by the department, the department will use an estimate of the statewide average fuel cost and an estimated use tax rate. The statewide average cost and use tax rate will be reviewed every six months and adjusted as necessary. If there is any dispute over the method of calculation, the taxpayer will be required to use actual cost of the fuel and use tax rate(s).

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-920, filed 11/1/01, effective 12/2/01.]

WAC 308-72-925 Mitigation of penalties and interest. (1) **Under what circumstances may a fee, penalty and/or interest be mitigated?** The department, in its discretion, may mitigate, extinguish and/or adjust fees, penalties and/or interest arising from late or missing fuel tax returns, unpaid or underpaid taxes, lack of complete records to support reported fuel usage, or license revocation penalties, assessments, and/or lack of complete records.

(2) **How will the department determine whether fees, penalties and/or interest should be mitigated?** The department may review records, account history or other information in arriving at its decision to mitigate.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-925, filed 11/1/01, effective 12/2/01.]

WAC 308-72-930 Appeals. (1) **What are the appeal procedures?** Any person having been issued a notice of assessment for taxes, penalties, and/or interest who wishes to contest such notice may petition the department for an informal hearing in lieu of proceeding directly to a formal hearing. A petition for a hearing must be in writing and must be received by the department within thirty days after the receipt of the notice of assessment. A petition shall set forth the specific reasons why reassessment is sought and the amount of tax, penalties and/or interest that you believe to be due.

(2) **What happens after the department receives the petition for an informal hearing?** Upon receipt of a petition for an informal hearing, the department will establish the time and place for the hearing and notify you by mail at least ten days prior to the scheduled date. If you are unable to attend the hearing on the date or time scheduled, you may request the department to reschedule the hearing.

(3) **What happens if I fail to appear for my informal hearing without prior notification?** Failure to appear may result in the loss of your informal administrative appeal rights.

(4) **What happens following my informal hearing?** The department will make determination in accordance with the Revised Code of Washington, administrative rules, and policies established by the department.

(5) **What if I do not agree with the department's informal hearing determination?** You may, within thirty days after the date of mailing of the determination, appeal in writing and request a formal hearing by an administrative law judge. The appeal shall indicate the portions of the determination you feel are in error and set forth the reasons for believing the decision should be amended. The department will establish a time and place for a formal hearing and give you at least ten days' notice.

(6) **When does my reassessment become final?** The decision of the department upon a petition for reassessment shall become final, due and payable thirty days after service upon you unless you appeal further.

[Statutory Authority: RCW 82.36.435. 01-22-072, § 308-72-930, filed 11/1/01, effective 12/2/01.]

Chapter 308-77 WAC

SPECIAL FUEL TAX RULES AND REGULATIONS

WAC

308-77-005 Definitions.

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-77-010	Definitions. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-010, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.37.170. 94-11-029, § 308-77-010, filed 5/9/94, effective 6/9/94. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-010, filed 8/1/79; Order 475-DOL, § 308-77-010, filed 12/30/77; Order MV-191, § 308-77-010, filed 3/27/74; Order MV-137, § 308-77-010, filed 6/1/72; Order 114 MV, § 308-77-010, filed 11/26/71.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.
308-77-020	Incidental use/exemptions. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-020, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-020, filed 8/1/79; Order 114 MV, § 308-77-020, filed 11/26/71.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.
308-77-030	Special fuel supplier's license. [Statutory Authority: RCW 82.38.020 (7), (8) and (9), 82.38.030, 82.38.040, 82.38.050, 82.38.080, 82.38.090, 82.38.120 and 82.38.260. 89-03-005 (Order PFT 89-02), § 308-77-030, filed 1/6/89. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-030, filed 8/1/79; Order 114 MV, § 308-77-030, filed 11/26/71.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.
308-77-032	Special fuel dealer's license. [Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-032, filed 8/1/79.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.
308-77-034	Special fuel user's license. [Statutory Authority: RCW 82.38.260. 92-01-014, § 308-77-034, filed 12/6/91, effective 1/6/92; 90-13-038 (Order PFT 90-04), § 308-77-034, filed 6/14/90, effective 7/15/90. Statutory Authority: RCW 82.38.020 (7), (8) and (9), 82.38.030, 82.38.040, 82.38.050, 82.38.080, 82.38.090, 82.38.120 and 82.38.260. 89-03-005 (Order PFT 89-02), § 308-77-034, filed 1/6/89. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-034, filed 8/1/79.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.
308-77-040	Issuance of license. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-040, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.38.260. 92-01-014, § 308-77-040, filed 12/6/91, effective 1/6/92; 90-13-038 (Order PFT 90-04), § 308-77-040, filed 6/14/90, effective 7/15/90. Statutory Authority: RCW 82.38.020 (7), (8) and (9), 82.38.030, 82.38.040, 82.38.050, 82.38.080, 82.38.090, 82.38.120

	and 82.38.260. 89-03-005 (Order PFT 89-02), § 308-77-040, filed 1/6/89. Statutory Authority: RCW 82.38.260. 86-02-058 (Order TL-RG-24), § 308-77-040, filed 12/31/85; 79-08-140 (Order 548 DOL), § 308-77-040, filed 8/1/79; Order 475-DOL, § 308-77-040, filed 12/30/77; Order MV-191, § 308-77-040, filed 3/27/74; Order MV-175, § 308-77-040, filed 10/24/73; Order 114 MV, § 308-77-040, filed 11/26/71.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.	
308-77-042	Special fuel user bond. [Statutory Authority: RCW 82.38.020(12), 82.38.110 and 82.38.260. 89-03-034 (Order PFT 89-01), § 308-77-042, filed 1/11/89.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.	308-77-100
308-77-044	Bonding requirements. [Statutory Authority: RCW 82.38.020(12), 82.38.110 and 82.38.260. 89-03-034 (Order PFT 89-01), § 308-77-044, filed 1/11/89.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.	308-77-105
308-77-045	Expiration of license. [Statutory Authority: RCW 82.38.260. 86-02-058 (Order TL-RG-24), § 308-77-045, filed 12/31/85; 79-08-140 (Order 548 DOL), § 308-77-045, filed 8/1/79.] Repealed by 00-16-045, filed 7/26/00, effective 8/26/00. Statutory Authority: Chapters 46.87 and 82.38 RCW.	308-77-110
308-77-050	Cancellation or revocation of license. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-050, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-050, filed 8/1/79; Order 114 MV, § 308-77-050, filed 11/26/71.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.	308-77-115
308-77-060	Special fuel dealers' liability for the tax. [Statutory Authority: RCW 82.37.170. 94-11-029, § 308-77-060, filed 5/9/94, effective 6/9/94. Statutory Authority: RCW 82.38.020 (7), (8) and (9), 82.38.030, 82.38.040, 82.38.050, 82.38.080, 82.38.090, 82.38.120 and 82.38.260. 89-03-005 (Order PFT 89-02), § 308-77-060, filed 1/6/89. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-060, filed 8/1/79; Order 475-DOL, § 308-77-060, filed 12/30/77; Order 114 MV, § 308-77-060, filed 11/26/71.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.	308-77-120
308-77-065	Tax liability on leased motor vehicles. [Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-065, filed 8/1/79; Order MV-137, § 308-77-065, filed 6/1/72.] Repealed by 86-02-058 (Order TL-RG-24), filed 12/31/85. Statutory Authority: RCW 82.38.260.	308-77-125
308-77-070	Exemptions. [Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-070, filed 8/1/79; Order 475-DOL, § 308-77-070, filed 12/30/77; Order MV-175, § 308-77-070, filed 10/24/73; Order 114 MV, § 308-77-070, filed 11/26/71.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.	308-77-130
308-77-080	Exemption from payment of tax to a designated special fuel dealer. [Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-080, filed 8/1/79; Order 114 MV, § 308-77-080, filed 11/26/71.] Repealed by 91-03-018, filed 1/7/91, effective 2/7/91. Statutory Authority: RCW 82.38.260.	308-77-140
308-77-090	Computation of tax on mileage basis. [Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-090, filed 8/1/79; Order 475-DOL, § 308-77-090, filed 12/30/77; Order MV-175, § 308-77-090, filed 10/24/73; Order 114 MV, § 308-77-090, filed 11/26/71.] Repealed by 97-17-062, filed 8/18/97, effective 9/18/97. Statutory Authority: RCW 34.05.354.	308-77-150
308-77-091	Electronic fund transfers. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-091, filed 11/19/98, effective 1/1/99.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.	308-77-160
308-77-095	Minimum tax payment. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-095, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.37.170. 94-11-029, § 308-77-095, filed 5/9/94, effective 6/9/94. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-095, filed	308-77-165
	8/1/79.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.	308-77-180
	Credit for bad debt losses of special fuel dealers. [Statutory Authority: RCW 82.38.260. 91-03-018, § 308-77-100, filed 1/7/91, effective 2/7/91; 79-08-140 (Order 548 DOL), § 308-77-100, filed 8/1/79; Order MV-137, § 308-77-100, filed 6/1/72; Order 114 MV, § 308-77-100, filed 11/26/71.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.	
	Refund for bad debt loss (other than a special fuel supplier). [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-105, filed 11/19/98, effective 1/1/99.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.	
	Allowance of credit or refund of tax paid. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-110, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-110, filed 8/1/79; Order 114 MV, § 308-77-110, filed 11/26/71.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.	
	Delinquent account notification process. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-115, filed 11/19/98, effective 1/1/99.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.	
	Tax reports. [Statutory Authority: RCW 82.38.260. 90-13-038 (Order PFT 90-04), § 308-77-120, filed 6/14/90, effective 7/15/90; 79-08-140 (Order 548 DOL), § 308-77-120, filed 8/1/79; Order MV-175, § 308-77-120, filed 10/24/73; Order 114 MV, § 308-77-120, filed 11/26/71.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.	
	Tax rate change. [Statutory Authority: RCW 82.38.260. 90-13-036 (Order PFT 90-02), § 308-77-125, filed 6/14/90, effective 7/15/90.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.	
	Ten day reports and payments by special fuel dealer. [Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-130, filed 8/1/79; Order 114 MV, § 308-77-130, filed 11/26/71.] Repealed by 98-24-011, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.36.435 and 82.38.260.	
	Exemption of user from tax reporting. [Order MV-175, § 308-77-140, filed 10/24/73; Order MV-137, § 308-77-140, filed 6/1/72; Order 114 MV, § 308-77-140, filed 11/26/71.] Repealed by 79-08-140 (Order 548 DOL), filed 8/1/79. Statutory Authority: RCW 82.38.260.	
	Records, receipts and invoices. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-150, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-150, filed 8/1/79; Order 114 MV, § 308-77-150, filed 11/26/71.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.	
	Sales invoices. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-160, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-160, filed 8/1/79; Order 114 MV, § 308-77-160, filed 11/26/71.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.	
	Export sales. [Statutory Authority: Chapters 46.87 and 82.38 RCW. 00-16-045, § 308-77-165, filed 7/26/00, effective 8/26/00. Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-165, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.38.260. 90-13-038 (Order PFT 90-04), § 308-77-165, filed 6/14/90, effective 7/15/90.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.	
	Appeals. [Statutory Authority: Chapters 46.87 and 82.38 RCW. 00-16-045, § 308-77-180, filed 7/26/00, effective 8/26/00. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-180, filed 8/1/79.] Repealed by 04-09-012, filed 4/9/04, effective 5/10/04. Statutory Authority: RCW 82.38.260. Later promulgation, see WAC 308-77-102.	

- 308-77-190 Audit appeal procedure. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-190, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-190, filed 8/1/79.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.
- 308-77-200 Tax refund. [Order 114 MV, § 308-77-200, filed 11/26/71.] Repealed by 79-08-140 (Order 548 DOL), filed 8/1/79. Statutory Authority: RCW 82.38.260.
- 308-77-210 Claim for refund. [Order MV-137, § 308-77-210, filed 6/1/72; Order 114 MV, § 308-77-210, filed 11/26/71.] Repealed by 79-08-140 (Order 548 DOL), filed 8/1/79. Statutory Authority: RCW 82.38.260.
- 308-77-215 Mitigation of penalties and interest. [Statutory Authority: RCW 82.38.260. 92-01-014, § 308-77-215, filed 12/6/91, effective 1/6/92.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.
- 308-77-220 Filing of refund claim. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-220, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-220, filed 8/1/79; Order 114 MV, § 308-77-220, filed 11/26/71.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.
- 308-77-225 Interest assessment on refund claims. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-225, filed 11/19/98, effective 1/1/99.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.
- 308-77-230 Invoice requirements for refund purposes. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-230, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-230, filed 8/1/79; Order 114 MV, § 308-77-230, filed 11/26/71.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.
- 308-77-250 Power take-off use. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-250, filed 11/19/98, effective 1/1/99. Statutory Authority: RCW 82.37.170. 94-11-029, § 308-77-250, filed 5/9/94, effective 6/9/94. Statutory Authority: RCW 82.38.260. 91-03-017, § 308-77-250, filed 1/7/91, effective 2/7/91; 79-08-140 (Order 548 DOL), § 308-77-250, filed 8/1/79; Order MV 137, § 308-77-250, filed 6/1/72; Order 114 MV, § 308-77-250, filed 11/26/71.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.
- 308-77-260 Auxiliary engines. [Statutory Authority: RCW 82.36.435 and 82.38.260. 98-24-011, § 308-77-260, filed 11/19/98, effective 1/1/99; Order 114 MV, § 308-77-260, filed 11/26/71.] Repealed by 01-22-073, filed 11/1/01, effective 12/2/01. Statutory Authority: RCW 82.38.260.
- 308-77-270 Repealer. [Order 114 MV, § 308-77-270, filed 11/26/71, effective 1/1/72.] Repealed by 00-16-045, filed 7/26/00, effective 8/26/00. Statutory Authority: Chapters 46.87 and 82.38 RCW.

WAC 308-77-005 Definitions. (1) "Special fuel" as defined in RCW 82.38.020(23) includes diesel fuel, propane, natural gas, kerosene and any other combustible liquid or gas by whatever name the liquid or gas may be known or sold for the generation of power to propel a motor vehicle on the highways except fuel that is subject to the tax imposed by chapter 82.36 RCW.

(2) "Publicly owned fire fighting equipment" means equipment owned and used exclusively for fire fighting by any agency or political subdivision of the state of Washington.

(3) "Farmer" means any person engaged in the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities (except forestry or forestry operations), the raising of livestock, bees, fur-bearing animals, or poultry,

and any practices performed on a farm as an incident to or in conjunction with such farming operations.

(4) "Logging company" means any person engaged in the business of cutting timber.

(5) "Construction company" means any person, firm, partnership or corporation who or which is engaged in the business of a contractor.

(6) "Contractor" means any person in the pursuit of an independent business that undertakes to, or offers to undertake, or submits a bid to, construct, alter, repair, add to, subtract from, improve, move, wreck or demolish, for another, any building, highway, road, railroad, excavation or other structure, project, development, improvement attached to real estate, including the installation of carpeting and/or floor covering, the erection of scaffolding, roofing and siding.

(7) "Export" means to obtain special fuel in this state for sale or distribution outside this state. To be considered an "export" and qualify for exemption from the special fuel tax, special fuel obtained outside the bulk transfer terminal system must be physically off-loaded in the destination state, province, or foreign country and the exporter must be licensed or registered, if required, in the state, province, or country of destination.

(8) "Special fuel supplier" means a person who is licensed as a supplier under chapter 82.38 RCW and must hold a federal certificate of registry issued under the Internal Revenue Code authorizing the person to enter into federal tax free transactions on special fuel in the bulk transfer-terminal system.

(9) "Invoice" means any document, paper or electronic, evidencing the transfer of ownership of special fuel.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-005, filed 11/1/01, effective 12/2/01.]

WAC 308-77-015 Incidental use/exemptions. (1) **When is fuel used during the incidental operation of a nonlicensed vehicle exempt the special fuel tax?** Fuel is exempt the special fuel tax if the vehicle is not licensed or required to be licensed under chapter 46.16 or 46.87 RCW and is operated between two pieces of private property for a distance not exceeding fifteen miles. The movement of the vehicle must be incidental to the primary use of the vehicle.

(2) **Are there any circumstances in which off highway fuel use is considered taxable?** If fuel is used in the operation of a motor vehicle in a continuous trip which is partly on and partly off the highway, the tax applies to all the fuel used including the fuel used in the operation off the highway when the total distance traveled off the highway does not exceed one mile.

A continuous trip means a vehicular movement involving the use of a highway for the transportation of persons or property from one place to another or, in the instance of a round trip, from the point of origin of the movement to the point of destination and return to the point of origin.

(3) **Are sales to qualified foreign diplomatic and consular missions tax exempt?** Tax exempt sales of special fuel may be made to qualified foreign diplomatic, consular missions and their qualified personnel if the diplomatic, consular missions, and qualified personnel maintain tax-exempt credit card accounts. Special fuel purchased by cash is not tax exempt.

(4) What is required for a licensee to issue a credit card to qualified foreign government personnel? Application must be accompanied by Form DSP-99A, issued by the Office of Foreign Missions, United States Department of State, and approved by that office.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-015, filed 11/1/01, effective 12/2/01.]

WAC 308-77-025 Issuance of license. (1) **If I have separate businesses at different locations or more than one fleet of vehicles, can I obtain more than one license?** Yes. Fuel tax licensees who conduct business at separate locations or operate more than one fleet of vehicles may request a license for each separate business location and/or fleet.

(2) **When is a special fuel tax trip permit required?** If you are not an International Fuel Tax Agreement licensee, a special fuel tax permit must be purchased when entering this state if the vehicle being operated has:

(a) Two axles and a gross vehicle weight or registered gross vehicle weight exceeding twenty-six thousand pounds; or

(b) Three or more axles regardless of weight; or

(c) Is a combination of vehicles, when the combined gross vehicle weight or registered gross vehicle weight exceeds twenty-six thousand pounds.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-025, filed 11/1/01, effective 12/2/01.]

WAC 308-77-035 Cancellation or revocation of special fuel license(s). (1) **Under what circumstances will my special fuel license be canceled?** A license may be canceled by the department under the following circumstances:

(a) Upon written request of the licensee. The cancellation will become effective within sixty days from receipt of the written request.

(b) Upon investigation and sixty days' notice to the licensee if the department determines the licensee is no longer engaged in the sale or distribution of special fuel for a period of six consecutive months prior to the cancellation.

(c) Upon failure to file a new or additional surety bond or to make deposits in accordance with RCW 82.38.130, or when the surety bond issuer requests to be released or discharged.

(d) Upon failure to file a new or additional surety bond or to deposit additional securities within thirty days after being requested to do so by the department.

(2) **How do I request to have my license canceled?** A written request for cancellation and any required tax returns up to the date of cancellation must be forwarded to the department with a remittance of any tax, penalty and interest due.

(3) **Under what circumstances may my license be suspended or revoked?** A license suspension or revocation is initiated by the department for cause as defined in chapter 82.38 RCW.

(4) **What happens when my license is canceled, suspended or revoked?** The department will notify all special fuel suppliers, importers, exporters, blenders and distributors of the change in license status.

(2007 Ed.)

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-035, filed 11/1/01, effective 12/2/01.]

WAC 308-77-04401 Waiving of bond requirements.

(1) **Can the department waive the requirement to maintain a fuel tax bond?** Yes. The department may waive the bonding requirement of a licensed distributor if, upon determination by the department, the licensed distributor has sufficient financial instruments to extinguish any Washington state fuel tax liability, including penalties and interest, incurred while acting as a licensed distributor.

(2) **What is considered a financial instrument?** For purposes of this rule, a financial instrument is either:

(a) A line of credit with a financial institution or supplier covering the cost of product and fuel tax liability incurred by the distributor.

(b) Lawful money of the United States, or bonds or other obligations of the United States, the state, or any county of the state, deposited with the state treasurer.

(3) **How can I qualify to have my bonding requirement waived?** You may qualify to have your bonding requirement waived upon:

(a) Filing a notarized statement with the department stating that your line(s) of credit with your financial institution(s) and your fuel supplier(s) is at a sufficient amount to include product cost and state fuel taxes. You must indicate the name of the financial institution(s), the account number(s) and dollar value of your line(s) of credit, and the name(s) of your fuel supplier(s). You must authorize the department to access this information with your financial institution(s) and supplier(s) for verification purposes; or

(b) Depositing in a financial institution an amount equal to the estimated monthly fuel tax payments and assigning this deposit to the department, as security for performance under chapter 82.38 RCW; and

(c) Providing the department with documentation, satisfactory to the department, indicating that the supplier(s) will not allow the licensed distributor to incur a liability, including fuel tax, in excess of the line(s) of credit, if applicable.

(4) **What if the department denies my request for a waiver of the bond requirement?** You can appeal this decision as provided in chapters 82.38 RCW and 308-77 WAC.

(5) **What if I no longer maintain a line of credit or financial instrument?** You must provide a surety bond to the department in the amount required by chapter 82.38 RCW, with a coverage commencement date on or before the date the line of credit or financial instrument was extinguished.

[Statutory Authority: RCW 82.36.435 and 82.38.260. 02-02-010, § 308-77-04401, filed 12/20/01, effective 1/20/02.]

WAC 308-77-075 Payment due dates for special fuel taxes. (1) **What if the payment due date falls on a Saturday, Sunday or state legal holiday and payment is by electronic funds transfer?** If you are paying your special fuel tax by electronic funds transfer, you must transfer the funds by the state business day immediately preceding the due date. (For example, if the payment due date falls on Saturday, you must transfer the funds by Friday.)

(2) **What if my payment is not made by electronic funds transfer?** If you are not paying your special fuel tax

by electronic funds transfer, then payment is due on the next state business day. (For example, if the payment due date falls on Saturday, you must submit payment by Monday.)

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-075, filed 11/1/01, effective 12/2/01.]

WAC 308-77-085 Minimum tax payment/refund. What is the minimum tax payment or refund? Each tax return that declares a tax liability of ten dollars or less need not make remittance; conversely, a refund of ten dollars or less will not be issued. A computation error on the tax return which results in an additional tax liability in the amount of ten dollars or less will be accepted without further collection action.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-085, filed 11/1/01, effective 12/2/01.]

WAC 308-77-092 Refund for bad debt loss (other than a special fuel supplier). (1) Can taxes paid on worthless accounts receivable be refunded? Yes, a refund may be requested for tax paid on a worthless accounts receivable under RCW 82.38.071 if you:

(a) Are a licensed special fuel importer, special fuel blender, or special fuel distributor; and

(b) Paid tax on an account found to be a worthless accounts receivable; and

(c) Charged off the amount as a bad debt on your federal income tax return; and

(d) Filed the claim within five years of the date of sale.

(2) What documentation must be submitted to the department to claim a refund on a bad debt that has been charged off? The following must be submitted:

(a) The portion of the federal income tax return and a supporting schedule that lists the bad debt as being charged off; and

(b) Invoices supporting fuel sales being claimed as bad debt; and

(c) Name and address of purchaser; and

(d) Special fuel tax return; or

(e) Refund claim form.

(3) Can a tax refund be claimed for expenses related to the collection of a bad debt? No, a tax refund cannot be claimed for expenses incurred in collecting a bad debt.

(4) If special fuel tax previously declared as a worthless account receivable is collected, how is it remitted to the department?

(a) A special fuel importer or special fuel blender that collects any special fuel tax previously taken as a tax credit on a worthless account receivable must remit the special fuel tax with the tax return for the reporting period the special fuel tax was collected or on forms prescribed by the department.

(b) A special fuel distributor must remit the special fuel tax collected with a form provided by the department no later than the last state business day of the month following the month of collection.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-092, filed 11/1/01, effective 12/2/01.]

WAC 308-77-093 Delinquent account notification process. (1) What steps must be taken when a licensed

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special fuel distributor does not pay a licensed special fuel supplier the special fuel tax when due?

(a) When a licensed distributor does not pay a licensed supplier the special fuel taxes which are due, the supplier must notify the department no later than twenty calendar days from the date the fuel tax was due to the supplier. If that twentieth day falls on a Saturday, Sunday, or legal holiday, the supplier must notify the department on the next business day.

(b) The supplier must complete the form that has been developed by the department for this purpose or timely provide written notification to the department. Receipt of written notification constitutes evidence that the distributor has failed to pay the special fuel taxes owed.

(2) What action will the department take when notified by the supplier of the distributor's failure to pay?

The department will suspend the distributor's license for non-payment of special fuel tax due the supplier and notify all suppliers of the suspension in the following ways:

(a) Posting notification of the suspension on the department's web site;

(b) Transmission of the notification via electronic mail or facsimile; and

(c) Mailing of the notification via U.S. mail.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-093, filed 11/1/01, effective 12/2/01.]

WAC 308-77-097 IFTA recordkeeping requirements. Are there additional recordkeeping requirements for IFTA special fuel users when leasing a vehicle? Yes. A lessor of a vehicle who is an IFTA special fuel user shall also maintain records of each trip and all mileage when the lessor's vehicle is operated by the lessee for less than thirty days.

The lessor must obtain from the lessee, and retain in the lessor files, the original copy of all invoices substantiating claims by the lessor for purchases of tax paid special fuel. If a lease is for more than thirty days, the lease agreement will determine who maintains the records.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-097, filed 11/1/01, effective 12/2/01.]

WAC 308-77-099 Invoices issued by licensees. (1)

When is an invoice issued? Every licensee shall issue an invoice at the time of sale. If an electronic invoice is issued, a paper copy of the invoice or other documentation containing required information must be produced if required by the department or to support a refund claim.

(2) What information must appear on each invoice? Each invoice must include the following information:

(a) The name and address of the seller;

(b) The name, address, and special fuel tax license number, if applicable, of the purchaser;

(c) The date of delivery (month, day and year);

(d) The location of the point of shipment. Alphanumeric codes are allowed if the definitions of the alphanumeric codes are provided to the department;

(e) The physical address of the fuel delivery or exchange, if different than the purchaser address, including the name of the state, Canadian Province, or foreign country. Alphanumeric codes are allowed if the definitions of the alphanumeric codes are provided to the department;

(f) In the case of a delivery onto a federally recognized Indian reservation or onto Indian country, the invoice must identify the state within the contiguous United States, Hawaii, Alaska, District of Columbia, U.S. possession, or Canadian Province in which the delivery took place;

(g) Name of carrier transporting fuel;

(h) Name of product sold;

(i) The number of U.S. gallons of product sold (must indicate net or gross gallons);

(j) The price per gallon and total amount charged;

(k) A statement on the invoice indicating whether the fuel has been sold without the Washington state fuel tax.

(3) What happens if a purchaser's invoice is lost or destroyed? If an invoice is lost or destroyed, the seller shall issue a duplicate or copy containing all information that appeared on the original invoice, if requested by the purchaser. The copies shall be plainly marked "copy" or "duplicate."

(4) What happens if an incorrect invoice is issued to the purchaser? The seller must issue a corrected invoice to the purchaser. The invoice must clearly indicate that it is a corrected invoice and reference the original invoice.

(5) What documentation does a licensed supplier, importer or blender need in order to support taxable special fuel consumed for their own use? Fuel used in motor vehicles or for other taxable purposes by a licensed supplier, importer or blender shall be supported by records covering the total fuel used during the reporting period.

(6) What documentation does a distributor need in order to claim a refund for nontaxable use of special fuel? If special fuel is used for a purpose subject to tax refund, the distributor must have supporting invoices or records indicating the use of the special fuel and the type(s) of equipment it is used in.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-099, filed 11/1/01, effective 12/2/01.]

WAC 308-77-101 Tax exempt sales. How are tax exempt sales reported to the department?

(1) Tax exempt sales shall be reported and supported by Schedule 10, Uniform Fuel Tax Multiple Schedule of Disbursements (Form FT 441-841). A separate schedule for each category of exempt sales must be submitted with the tax return. For export sales, a separate Schedule 10 must be submitted for each state or foreign jurisdiction of destination. The department shall furnish the government agency of the state or foreign jurisdiction of destination a copy of this Schedule 10 to give information on the movement of untaxed fuel across state lines.

(2) In the case of a delivery onto a federally recognized Indian reservation or onto Indian country, the invoice must identify the state within the contiguous United States, Hawaii, Alaska, District of Columbia, U.S. possession, or Canadian Province in which the delivery took place.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-101, filed 11/1/01, effective 12/2/01.]

WAC 308-77-102 Appeals. (1) What are the appeal procedures? Any person having been issued a notice of assessment for taxes, penalties, and/or interest who wishes to contest such notice may petition the department for an informal

hearing in lieu of proceeding directly to a formal hearing. A petition for a hearing must be in writing and must be received by the department within thirty days after the receipt of the notice of assessment. A petition shall set forth the specific reasons why reassessment is sought and the amount of tax, interest, and/or penalties which you believe to be due.

(2) What happens after the department receives the petition for an informal hearing? Upon receipt of a petition for an informal hearing, the department will establish the time and place for the hearing and notify you by mail at least ten days prior to the scheduled date. If you are unable to attend the hearing on the date or time scheduled, you may request the department to reschedule the hearing.

(3) What happens if I fail to appear for my informal hearing without prior notification? Failure to appear may result in the loss of your informal administrative appeal rights.

(4) What happens following my informal hearing? The department will make a determination in accordance with the Revised Code of Washington, administrative rules, and policies established by the department.

(5) What if I do not agree with the department's informal hearing determination? You may, within thirty days after the date of mailing of the determination, appeal in writing and request a formal hearing by an administrative law judge. The appeal shall indicate the portions of the determination you feel are in error and set forth the reasons for believing the decision should be amended. The department will establish a time and place for a formal hearing and give you at least ten days' notice.

(6) When does my reassessment become final? The decision of the department upon a petition for reassessment shall become final, due and payable thirty days after service upon you unless you appeal further.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-102, filed 11/1/01, effective 12/2/01.]

WAC 308-77-103 Mitigation of penalties and interest. (1) Under what circumstances may a fee, penalty and/or interest be mitigated?

The department, in its discretion, may mitigate, extinguish, and/or adjust fees, penalties, dyed special fuel penalties, and/or interest arising from late or missing fuel tax returns, unpaid or underpaid taxes, lack of complete records to support reported fuel usage, license revocation penalties, assessments, lack of complete records, and/or the unlawful use of dyed special fuel.

(2) How will the department determine whether fees, penalties and/or interest should be mitigated? The department may review records, account history or other information in arriving at its decision to mitigate.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-103, filed 11/1/01, effective 12/2/01.]

WAC 308-77-104 Filing of refund claim. (1) How do I apply for a refund? Any person claiming a refund of the special fuel tax must make application to the department and be issued a refund permit number.

(2) When can I file a refund claim? A refund claim may be filed at any time not to exceed a thirteen-month time limit from the date of purchase. If you claim a refund for fuel purchased in any month of a claimed period, you may not

claim additional purchases for that month on another claim. The department will use the postmark date to determine the eligibility of the claim.

(3) Do I need to send in my invoices with the refund claim request? If your refund claim request is one hundred dollars or less, you do not have to send your purchase invoices with your refund claim unless required by the department. If your refund claim request is more than one hundred dollars, purchase invoices are required. If electronic invoices were issued to the claimant, paper copies of the invoices or other documentation containing required information must be submitted with the refund claim.

(4) How shall I account for my inventory on my refund claim form? Any fuel on hand (by physical measurement) at the end of the claim period should be indicated on the claim as ending inventory and should be reported as a beginning inventory on the next refund claim form. Credit for the inventory will be allowed on the next claim if it is filed within thirteen months from the filing date of the claim that established the inventory. All invoices for the total fuel purchased must be submitted with each claim unless the amount of the claim is one hundred dollars or less.

(5) As a licensed distributor do I need to send in supporting summary schedules and invoices with my refund claim request? Yes. Summary schedules must be provided by the distributor. Invoices may be requested by the department.

(6) Who may sign a refund claim form? The following persons may sign a refund claim form:

- (a) Individuals - permit holder;
- (b) Partnership - any one of the partners;
- (c) Business firm or corporation - owner, corporate officer or other authorized agent.

(7) Can invoices be in a different name than what is on the claim form? No, invoices made out in other names will not be accepted.

(8) Can I request that my refund be assigned to another person? Yes, if a letter of assignment is attached, signed by the person to whom the invoice was issued, designating the payee.

(9) How long will it take until I receive my refund? Properly completed refund claims will be processed and mailed within thirty business days of date of receipt.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-104, filed 11/1/01, effective 12/2/01.]

WAC 308-77-106 Use tax. (1) Is use tax deducted from my refund claim? Yes, the use tax may be deducted from your fuel tax refund amount as imposed by chapter 82.12 RCW.

(2) How is use tax computed? The claimant may calculate the use tax amount using the actual use tax rate(s) and actual cost per gallon or the department will calculate the use tax amount using an average use tax rate and average price per gallon. Either method chosen by the claimant must be used for each refund claim submitted during a calendar year, unless there has been a change in the department's estimated average fuel cost during that period. If computed by the department, the department will use an estimate of the statewide average fuel cost and an estimated use tax rate. The statewide average cost and use tax rate will be reviewed

every six months and adjusted as necessary. If there is any dispute over the method of calculation, the taxpayer will be required to use actual cost of the fuel and use tax rate(s).

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-106, filed 11/1/01, effective 12/2/01.]

WAC 308-77-107 Interest assessment on refund claims. When would the department pay interest on my refund claim? If the department does not issue the refund within thirty business days, interest is due. The first day of the thirty-day period within which the department must issue the refund begins on the date the properly filed and completed refund claim is received and date stamped by the department. The postmark date on the envelope is not considered the received date for this purpose.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-107, filed 11/1/01, effective 12/2/01.]

WAC 308-77-109 Invoice requirements for refund to nonlicensees. (1) What are the invoice requirements? The seller of special fuel is required to issue to each purchaser separate invoices for each purchase of fuel. However, a single invoice covering multiple deliveries made during a period of time not to exceed one calendar month may constitute a separate invoice as required by this subsection. Provided, That each delivery is individually listed on the invoice or on an accompanying statement in accordance with the requirements of this subsection for single deliveries.

(2) What information must be included on the invoice? Each invoice must contain the following information:

- (a) Name and address of the seller;
- (b) Kind or type of fuel and number of gallons purchased;
- (c) Complete date of sale (month, day and year);
- (d) Price per gallon; and
- (e) Total amount of sale.

(3) Will the department accept invoices with altered, corrected or erased information? Invoices which indicate alterations, corrections or erasures shall be voided and will not be accepted. Any person who alters any part of an invoice that will tend to give the claimant an illegal gain may have the entire claim invalidated and the director may suspend any further claims for refund for a period of one year. If an electronic invoice was issued, then a paper copy of the electronic invoice or other documentation containing required information must be submitted.

(4) What happens if an invoice is lost or destroyed? If an invoice is lost or destroyed, the seller may issue a duplicate or copy containing the invoice number, date of sale, gallonage, price and amount, and any information that appeared on the first invoice. The copies shall be plainly marked "copy" or "duplicate."

(5) What happens if I issued an incorrect invoice to the purchaser? Sellers of fuel must issue a corrected invoice to the purchaser. The invoice must clearly indicate that it is a corrected invoice and reference the original invoice. Only one invoice shall be issued for any one delivery.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-109, filed 11/1/01, effective 12/2/01.]

WAC 308-77-112 Power take-off use. (1) **What is power take-off use?** Fuel used in a motor vehicle engine to operate auxiliary equipment provided that the fuel used is supplied from the propulsion tank of the motor vehicle.

(2) **What is not considered auxiliary equipment?** Equipment that is considered an integral part of the operation of the vehicle, such as air conditioning, power steering, generator, etc.

(3) **What formula does the department use in determining power take-off usage?** For special fuel used in operating a power take-off unit on any of the vehicles listed herein when direct measurement is not feasible, the tax exemption is calculated at the rate specified as a percentage of the total Washington taxable fuel used by the vehicles:

Cement mixer	25%
Fire trucks (private)	25%
Mobile cranes	25%
Garbage trucks (with load compactor)	25%
Sewer cleaning truck/jet vactor	25%
Super suckers	25%
Line truck with digger/derrick or aerial lift	20%
Log truck with self loader	20%
Refrigeration trucks	20%
Sweeper trucks (must be motor vehicle)	20%
Boom truck/block boom	15%
Bulk feed truck	15%
Dump trailers	15%
Dump trucks	15%
Hot asphalt distribution truck	15%
Leaf truck	15%
Lime spreader	15%
Pneumatic tank truck	15%
Salt spreader on dump truck	15%
Seeder truck	15%
Semiwrecker	15%
Service truck with jack hammer/drill	15%
Snow plow	15%
Spray truck	15%
Tank transport	15%
Tank trucks	15%
Truck with PTO hydraulic winch	15%
Wrecker	15%
Car carrier with hydraulic winch	10%
Carpet cleaning van	10%
Others	7.5%

(4) **What if my fuel consumption is greater than the percentages indicated?** If a claimant can provide satisfactory documentation and records to show that the fuel consumed by the power take-off is greater than the percentages indicated, the department may grant the higher percentage on a case-by-case basis.

(5) **What documents must accompany the refund claims?** All claims must be accompanied by valid purchase invoices to cover the total gallons of special fuel purchased, except that invoices for special fuel used in fuel oil delivery trucks or when measured by a metering device need only be equal to or greater than the gallons claimed as refundable. A support schedule for Washington power take-off and power pumping credits shall accompany each claim for refund.

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[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-112, filed 11/1/01, effective 12/2/01.]

WAC 308-77-114 Unauthorized use of dyed diesel. (1) **Is there any dye concentration in diesel fuel for which the department cannot assess penalties for unlawful use?** No. The department may assess on any dyed diesel fuel found in licensed vehicles, vehicles required to be licensed, or in bulk storage tanks used to fuel licensed or required to be licensed vehicles.

(2) **Who may the department assess a penalty for unlawful use of dyed diesel?** The department may assess:

- (a) The operator of the vehicle; and/or
- (b) The registered owner(s) of the vehicle; and/or
- (c) Any other person or entity responsible for the operation, maintenance or fueling of the vehicle.

(3) **If dyed diesel is discovered in the fuel supply tank(s) of vehicles, when must the fuel be removed from the involved vehicle(s)?** The dyed diesel fuel must be removed from the vehicle(s) within twenty-four hours from the time of discovery. Additional violations on the same vehicle(s) detected after the twenty-four-hour period will be considered as separate violations.

(4) **May the department assess dyed diesel penalties on the fuel in bulk storage tank(s)?** Yes, if the department determines that any dyed diesel fuel from the bulk storage tank(s) has been used for unlawful purposes in any vehicle(s). Fuel remaining in the bulk storage fuel tank(s) will be considered for on highway use.

(5) **How is the dyed diesel fuel in bulk storage tank(s) assessed?** Once dyed diesel fuel from bulk storage has been used for unlawful purposes, an assessment will be based on the capacity or estimated quantity of dyed diesel fuel in the bulk storage tank(s) without regard to how this fuel will be used.

(6) **What if the department or authorized representative is denied access to inspect the fuel in diesel vehicle(s) or bulk storage tank(s)?** The penalty in RCW 82.38.-170(13) will be applied to the capacity of the bulk storage tank(s) and/or to the vehicles subject to the refusal. All licenses issued under this chapter may be subject to cancellation and/or revocation under RCW 82.38.120(9) and 82.38.-130.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-114, filed 11/1/01, effective 12/2/01.]

WAC 308-77-116 Records. What special fuel records must be kept? (1) Every person licensed or required to be licensed shall maintain a complete monthly stock summary of the gallons of special fuel reflecting inventories, receipts, sales, use, other distribution, and loss or gain. The stock summary shall be supported by:

- (a) Physical inventories of bulk storage plants taken at the close of each calendar month.
- (b) Meter readings taken at the close of each calendar month for pumps through which fuel is dispensed.
- (c) A record of fuel receipts together with invoices, bills of lading, transfer documents, yield reports, and other documents relative to the acquisition of fuel.

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(d) A record of fuel disbursements together with invoices, bills of lading and other documents relative to the disbursement of fuel.

(2) **What records must a licensed dyed special fuel user keep?** The recordkeeping requirements of this section also apply to dyed special fuel:

(a) Purchased and used by licensed dyed special fuel users; and

(b) Authorized for use on the highway.

[Statutory Authority: RCW 82.38.260. 01-22-073, § 308-77-116, filed 11/1/01, effective 12/2/01.]

WAC 308-77-155 On board computers or recording devices. Can I use on board computers or recording devices to record mileage? Yes, the use of on board computers or recording devices for the production of mileage records required by RCW 82.32.140 shall be governed by the requirements or procedures adopted by the International Fuel Tax Agreement (IFTA).

[Statutory Authority: Chapters 46.87 and 82.38 RCW. 00-16-045, § 308-77-155, filed 7/26/00, effective 8/26/00. Statutory Authority: RCW 82.37.170. 94-11-029, § 308-77-155, filed 5/9/94, effective 6/9/94.]

WAC 308-77-170 Metric measurement. Can I report using metric measurements? No, tax reports submitted to the department must show all figures converted from liters to gallons (3.785 liters per gallon) and from kilometers to miles (1.6093 kilometers per mile).

[Statutory Authority: Chapters 46.87 and 82.38 RCW. 00-16-045, § 308-77-170, filed 7/26/00, effective 8/26/00. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-170, filed 8/1/79.]

WAC 308-77-240 Records for refund claims. (1) What records does the department require each claimant to retain? Each claimant must retain records that reflect all special fuel receipts, the gallons of fuel used in each type of equipment (both refundable and nonrefundable), other uses, loss and gain, and inventory on hand. The records must indicate the date of receipt or disbursements and identify the equipment into which the fuel is delivered or the purpose for which the fuel is used. Each claimant must also keep on highway and off highway mileage records for each licensed vehicle.

If the claimant maintains electronic invoices, paper copies of these invoices must be produced, upon request of the department. Failure of the claimant to maintain the required records or to comply with the department's request for examination of the records will waive all rights to a refund.

(2) **What additional records must be maintained to support a refund claim for fuel withdrawn from bulk storage?** Fuel purchased and delivered into bulk storage must have detailed withdrawal records that account for taxable and nontaxable use.

[Statutory Authority: Chapters 46.87 and 82.38 RCW. 00-16-045, § 308-77-240, filed 7/26/00, effective 8/26/00. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-240, filed 8/1/79; Order 114 MV, § 308-77-240, filed 11/26/71.]

WAC 308-77-265 Tax exempt losses. (1) What is considered a tax-exempt loss? Special fuel lost or destroyed in this state while being transported in the equipment of a lic-

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ensee or in the equipment of a common or contract carrier for a licensee will be considered as a taxable distribution. Credit for or a refund of the special fuel tax paid may be taken when the licensee or the common or contract carrier furnishes acceptable proof of the exact quantity of fuel lost provided the documents in support of the loss are submitted to the department for approval as provided in RCW 82.38.180.

(2) **What is acceptable proof of loss?** Acceptable proof of loss will consist of the following:

(a) An affidavit by a person having direct knowledge of the circumstances of the loss, explaining the origin and destination of the shipment, the circumstances surrounding the loss, quantity of fuel lost, fuel salvaged, disposition of the salvaged fuel, and procedure(s) used in the determination of the quantity of fuel lost;

(b) A signed statement by a federal or jurisdictional official who has authority to investigate and/or deal with fuel losses or a witness to the loss;

(c) A bill of lading or other shipping document(s); and

(d) A statement by the licensee establishing ownership of the fuel at time of loss.

(3) **Are deductions for losses from bulk storage allowed?** Yes, special fuel that has been proven lost or destroyed, prior to distribution from a licensee's bulk storage plant, is allowed as a deduction.

(4) **How long shall I retain my evidence substantiating my loss?** Documentary evidence substantiating losses shall be retained by the licensee for five years.

(5) **May I claim a deduction for unproven losses?** No, unproven losses will be considered as a distribution and subject to the fuel tax.

(6) **Am I liable for fuel taxes if one of my employees or agents cause a loss of fuel?** Yes, charges for losses made by employees or agents of the licensee who fail to satisfactorily account for fuel shall be invoiced inclusive of the fuel tax. Other losses shall be substantiated by proof acceptable to the department.

[Statutory Authority: Chapters 46.87 and 82.38 RCW. 00-16-045, § 308-77-265, filed 7/26/00, effective 8/26/00. Statutory Authority: RCW 82.38.260. 79-08-140 (Order 548 DOL), § 308-77-265, filed 8/1/79; Order MV-137, § 308-77-265, filed 6/1/72.]

WAC 308-77-280 Natural gas, propane—Decal as evidence of payment of annual license fees. (1) Do I pay fuel tax when I purchase natural gas or liquefied petroleum gas (propane) for my licensed vehicle? No, once you have licensed your vehicle as being powered by natural gas or propane, you will pay an annual license fee in lieu of the fuel tax.

(2) **What proof is required to purchase natural gas or propane for my vehicle?** A decal will be issued that must be displayed on your vehicle that allows the purchase of natural gas or propane. This decal must be displayed in a conspicuous place on the vehicle near the fuel supply tank.

[Statutory Authority: Chapters 46.87 and 82.38 RCW. 00-16-045, § 308-77-280, filed 7/26/00, effective 8/26/00. Statutory Authority: RCW 82.38.260. 81-14-048 (Order DOL 630), § 308-77-280, filed 6/30/81.]

WAC 308-77-290 Dishonored checks. (1) What will happen if my check becomes dishonored? A dishonored check represents failure to pay special fuel taxes, fees and/or

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penalties and interest when due, and the department will enforce such special fuel licensing and taxing laws as are necessary to recover the unpaid taxes and fees when they become due and payable.

(2) **What form of payment does the department require for dishonored checks?** Any registrant who tenders a check that is subsequently dishonored by a financial institution upon which it was drawn, may be required to tender all subsequent payments in certified funds, i.e., cash, cashier's check, certified check, traveler's check, official check, or money order.

(3) **Are there any additional fees charged for a dishonored check (DHC)?** Yes, a handling fee shall be assessed by the department for each check dishonored by the financial institution.

[Statutory Authority: RCW 46.01.110, 82.36.435, 82.38.260, 82.42.040, 46.87.010(2), 00-08-032, § 308-77-290, filed 3/28/00, effective 4/28/00.]

Chapter 308-78 WAC AIRCRAFT FUEL TAX

WAC

308-78-010	Definitions.
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308-78-035	Minimum tax payment/refund.
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308-78-045	Tax exempt use and circumstances.
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308-78-075	Invoices issued by licensees.
308-78-080	Refunds.
308-78-090	Mitigation of penalties and/or interest.
308-78-100	Dishonored checks.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-78-060	Tax exempt losses. [Statutory Authority: RCW 88.42.-040, 99-19-097, § 308-78-060, filed 9/20/99, effective 10/21/99; 82-20-093 (Order MV 696), § 308-78-060, filed 10/6/82; Order 69-10-2, § 308-78-060, filed 10/29/69; Rule E, filed 9/12/67; Emergency Rule E, filed 7/21/67.] Repealed by 01-08-083, filed 4/4/01, effective 5/5/01. Statutory Authority: RCW 82.42.100.
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WAC 308-78-010 Definitions. (1) "Aircraft fuel" includes any combustible gas or liquid, which is normally defined as motor vehicle fuel under chapter 82.36 RCW and chapter 308-72 WAC or a special fuel under chapter 82.38 RCW and chapter 308-78 WAC when used to propel an aircraft.

(2) "User" means any person other than a distributor who is certified to acquire aircraft fuel without payment of the aircraft fuel tax at time of acquisition.

(3) "Local service commuter" means an air taxi operator who operates at least five round trips per week between two or more points; publishes flight schedules which specify the times, days of the week, and points between which it operates; and whose aircraft has a maximum capacity of sixty passengers or eighteen thousand pounds of useful load.

(4) "Private, nonstate funded airfield" means an airport not eligible to receive state funding under chapter 47.68 RCW.

(5) "Department" means the department of licensing.

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(6) "Emergency medical air transport entities" means entities that own or lease, and operate aircraft used solely for air ambulance services.

[Statutory Authority: RCW 82.42.040, 04-06-001, § 308-78-010, filed 2/18/04, effective 3/20/04. Statutory Authority: RCW 82.42.100, 01-08-083, § 308-78-010, filed 4/4/01, effective 5/5/01. Statutory Authority: RCW 82.42.040, 90-13-039 (Order PFT 90-05), § 308-78-010, filed 6/14/90, effective 7/15/90. Statutory Authority: RCW 82.42.030, 86-02-057 (Order TL-RG-23), § 308-78-010, filed 12/31/85. Statutory Authority: RCW 82.42.-040, 85-04-027 (Order PFT 85-001), § 308-78-010, filed 1/31/85; 82-20-093 (Order MV 696), § 308-78-010, filed 10/6/82; Order 69-10-2, § 308-78-010, filed 10/29/69; Rules (part), filed 9/12/67; Emergency Rules (part), filed 7/21/67.]

WAC 308-78-020 Bond requirements and collection.

(1) **Are bonds required for aircraft fuel distributors?** Yes, every aircraft fuel distributor must be bonded as provided in chapter 82.36 and/or 82.42 RCW.

(2) **Can the department collect on bonds for unpaid aircraft fuel taxes?** Yes, the department may execute bonds on file under the provisions of chapters 82.36 and 82.42 RCW for unpaid aircraft fuel taxes.

[Statutory Authority: RCW 82.42.100, 01-08-083, § 308-78-020, filed 4/4/01, effective 5/5/01. Statutory Authority: RCW 88.42.040, 99-19-097, § 308-78-020, filed 9/20/99, effective 10/21/99; 82-20-093 (Order MV 696), § 308-78-020, filed 10/6/82; Order 69-10-2, § 308-78-020, filed 10/29/69; Rule A, filed 9/12/67; Emergency Rule A, filed 7/21/67.]

WAC 308-78-030 Required reports. (1) **What reports are required by the department for aircraft fuel tax and when are they due?** Every licensed distributor of aircraft fuel shall submit signed tax returns and schedules to the department, on or before the 25th day of each month, or as required by the department. Forms shall be furnished or approved by the department.

(2) **What if the payment due date falls on a Saturday, Sunday or state legal holiday?** Payment is due by the state business day immediately preceding the due date. (For example, if the payment due date falls on Saturday, you must transfer the funds by Friday.)

(3) **Is a report due if I have no activity for the month?** Yes, a report shall be filed with the department for each calendar month even when no aircraft fuel was sold or used.

(4) **Can tax return information be made available to other government agencies?** Yes, the department routinely furnishes copies of schedules to government agencies or foreign jurisdictions.

[Statutory Authority: RCW 82.42.100, 01-08-083, § 308-78-030, filed 4/4/01, effective 5/5/01. Statutory Authority: RCW 88.42.040, 99-19-097, § 308-78-030, filed 9/20/99, effective 10/21/99; 90-13-039 (Order PFT 90-05), § 308-78-030, filed 6/14/90, effective 7/15/90; 82-20-093 (Order MV 696), § 308-78-030, filed 10/6/82; Order 69-10-2, § 308-78-030, filed 10/29/69; Rule B, filed 9/12/67; Emergency Rule B, filed 7/21/67.]

WAC 308-78-035 Minimum tax payment/refund. **What is the minimum tax payment or refund?** Each tax return that declares a tax liability of ten dollars or less need not make remittance; conversely, a refund of ten dollars or less will not be allowed. A computation error on the tax return which results in an additional tax liability in the amount of ten dollars or less will be accepted without further collection action.

[Statutory Authority: RCW 82.42.100, 01-08-083, § 308-78-035, filed 4/4/01, effective 5/5/01.]

WAC 308-78-040 Tax exempt sales by licensed distributors. When may a licensed distributor sell aircraft fuel without collecting the aircraft fuel tax? A licensed distributor may sell aircraft fuel without collecting the aircraft fuel tax, when delivery is made by the distributor to any of the following:

- (1) A destination outside the state;
- (2) United States or foreign government agencies;
- (3) Directly into the aircraft fuel tanks of equipment operated by air carriers, supplemental air carriers, and foreign flag carriers operating under part 121 of the Federal Aviation Regulations, and local service commuters;
- (4) Another licensed distributor;
- (5) To a purchaser who delivers the fuel for export under RCW 82.42.030 or 82.42.070; or
- (6) Into the bulk storage tank of a certified user.

[Statutory Authority: RCW 82.42.100, 01-08-083, § 308-78-040, filed 4/4/01, effective 5/5/01. Statutory Authority: RCW 88.42.040, 99-19-097, § 308-78-040, filed 9/20/99, effective 10/21/99; 90-13-039 (Order PFT 90-05), § 308-78-040, filed 6/14/90, effective 7/15/90; 85-04-027 (Order PFT 85-001), § 308-78-040, filed 1/31/85; 82-20-093 (Order MV 696), § 308-78-040, filed 10/6/82; Order 69-10-2, § 308-78-040, filed 10/29/69; Rule C, filed 9/12/67; Emergency Rule C, filed 7/21/67.]

WAC 308-78-045 Tax exempt use and circumstances. What are the conditions under which a refund of aircraft fuel tax can be claimed? Refund of the aircraft fuel tax paid may be claimed for the following uses or circumstances:

- (1) Operation of aircraft by air carriers, supplemental air carriers, and foreign flag carriers, operating under part 121 of the Federal Aviation Administration Regulations, and local service commuters.
- (2) Testing and experimental purposes in the manufacture or remanufacture of aircraft and for flight operations or experimental testing following manufacture, repair prior to delivery to a customer, or experimental testing of another aircraft.
- (3) Aircraft crew training in Washington state for certified air carriers.
- (4) When applying pesticides, herbicides, or other agricultural chemicals under conditions defined in RCW 82.42-.020.
- (5) Exportation of fuel from this state for use outside this state under the same conditions as provided for the refund of motor vehicle fuel in chapter 82.36 RCW and special fuel in chapter 82.38 RCW.
- (6) Use of fuel in nonhighway equipment, other than aircraft, as provided for the refund of motor vehicle fuel in chapter 82.36 RCW and special fuel in chapter 82.38 RCW.
- (7) Sales to the United States or foreign government agencies by a distributor who has paid the aircraft fuel tax. The distributor shall file an exemption certificate provided by the department. This certificate shall contain an assignment to the distributor of the purchaser's right to a refund.
- (8) Users of aircraft fuel placed into helicopters or the wing tanks of aircraft that are used solely for air ambulance services are eligible for a refund of the aircraft fuel tax. For purposes of the tax exemption, aircraft fuel placed into the wing tanks of aircraft or placed into helicopters and consumed during training activities directly related to providing

air ambulance services is considered to be exempt from the aircraft fuel tax.

[Statutory Authority: RCW 82.42.040, 04-06-001, § 308-78-045, filed 2/18/04, effective 3/20/04. Statutory Authority: RCW 82.42.100, 01-08-083, § 308-78-045, filed 4/4/01, effective 5/5/01. Statutory Authority: RCW 88.42.040, 99-19-097, § 308-78-045, filed 9/20/99, effective 10/21/99; 85-04-027 (Order PFT 85-001), § 308-78-045, filed 1/31/85; 82-20-093 (Order MV 696), § 308-78-045, filed 10/6/82.]

WAC 308-78-046 Tax exempt losses. (1) What is considered a tax exempt loss? You may claim an exemption if fuel is destroyed through fire, lightning, flood, wind storm, explosion, accident, or other casualty.

(2) May I claim an exemption for losses due to leakage? Yes, if the verified leakage is five hundred gallons or more.

(3) May I claim an exemption for losses of aircraft fuel due to evaporation, shrinkage, or unknown causes? No, aircraft fuel losses due to evaporation, shrinkage, or unknown causes are not permitted.

(4) What is acceptable proof of loss? Acceptable proof of loss will consist of the following:

(a) An affidavit by a person having direct knowledge of the circumstances of the loss, explaining the circumstances surrounding the loss, quantity of fuel lost, fuel salvaged, disposition of salvaged fuel, and procedures used in determining the quantity of fuel lost;

(b) A signed statement by a federal or jurisdictional official who has authority to investigate fuel losses, or a witness to the loss;

(c) A bill of lading or shipping document;

(d) A statement by the licensee establishing ownership of the fuel at the time of loss.

(5) How long must I retain my evidence substantiating the loss? Documentary evidence substantiating losses shall be retained by the licensee for five years.

(6) Am I liable for fuel taxes if one of my employees or agents causes a loss of fuel? Yes, charges for losses made by employees or agents who fail to satisfactorily account for fuel shall be invoiced inclusive of the fuel tax. Other losses shall be substantiated by proof acceptable to the department.

[Statutory Authority: RCW 82.42.100, 01-08-083, § 308-78-046, filed 4/4/01, effective 5/5/01.]

WAC 308-78-050 Supporting documents for tax exempt transactions. What types of supporting documents must be retained for tax exempt transactions? The distributor shall retain sales invoices, contracts, purchase orders, bills of lading and other documents in support of the tax exemption claimed.

[Statutory Authority: RCW 88.42.040, 99-19-097, § 308-78-050, filed 9/20/99, effective 10/21/99; 85-04-027 (Order PFT 85-001), § 308-78-050, filed 1/31/85; 82-20-093 (Order MV 696), § 308-78-050, filed 10/6/82; Order 69-10-2, § 308-78-050, filed 10/29/69; Rule D, filed 9/12/67; Emergency Rule D, filed 7/21/67.]

WAC 308-78-070 Records. (1) What records must a distributor, certified user, or consumer of aircraft fuel maintain? The following records must be maintained:

(a) Physical inventories of bulk storage facilities and mobile storage facilities taken at the close of each calendar month;

(b) A record of fuel receipts together with invoices, bills of lading, transfer documents, and other documents relative to the acquisition of fuel;

(c) A record of fuel disbursements supported by sales invoices and other documents relative to the disbursements of fuel;

(d) A withdrawal record covering their own total usage during the month. The withdrawal record shall contain the date of withdrawal, the location of the storage facility from which the fuel was withdrawn, the type or grade of fuel, and the number of gallons withdrawn;

(e) Each person claiming an exemption from the aircraft fuel tax shall keep records of each flight or series of flights for which tax exempt use is claimed. Such records shall include:

- (i) Flight or block time of each flight or series of flights;
- (ii) Type of aircraft;
- (iii) Purpose of each flight or series of flights;
- (iv) Dates;
- (v) Gallons consumed for each flight or series of flights.

(2) **How long must I retain my records?** Records shall be maintained and kept for a period of not less than five years in their original form. The department may make such examinations of the records, facilities, equipment, and aircraft of distributors, certified users and consumers of aircraft fuel as necessary in carrying out the provisions of this chapter.

[Statutory Authority: RCW 82.42.100. 01-08-083, § 308-78-070, filed 4/4/01, effective 5/5/01. Statutory Authority: RCW 88.42.040. 99-19-097, § 308-78-070, filed 9/20/99, effective 10/21/99; 90-13-039 (Order PFT 90-05), § 308-78-070, filed 6/14/90, effective 7/15/90; 85-04-027 (Order PFT 85-001), § 308-78-070, filed 1/31/85; 82-20-093 (Order MV 696), § 308-78-070, filed 10/6/82; Order 69-10-2, § 308-78-070, filed 10/29/69; Rule F, filed 9/12/67; Emergency Rule F, filed 7/21/67.]

WAC 308-78-075 Invoices issued by licensees. (1)

When is an invoice issued? Every licensee shall issue an invoice at the time of sale, distribution or use. If an electronic invoice is issued, a paper copy of the invoice must be produced if required by the department or to support a refund claim.

(2) What information must appear on each invoice?

Each invoice must include the following information:

- (a) The name and address of the seller;
- (b) The name, address and aircraft fuel tax number, if applicable, of the purchaser for all deliveries other than those made directly into the aircraft fuel tanks of unlicensed exempt carriers;
- (c) The date of delivery (month, day and year);
- (d) The location of the point of shipment. Alphanumeric codes are not allowed;
- (e) The physical address of delivery, if different than the purchaser address, including the name of the state, Canadian Province, or foreign country. Alphanumeric codes are not allowed;
- (f) Name of carrier transporting fuel;
- (g) Name of product sold;
- (h) The gross number of U.S. gallons of product sold;
- (i) The price per gallon and the total amount charged;
- (j) A statement on the invoice indicating whether the fuel has been sold with or without the Washington state fuel tax;
- (k) In the case of a delivery onto a federally recognized Indian reservation or onto Indian country, the invoice must

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identify the state within the contiguous United States, Hawaii, Alaska, District of Columbia, U.S. possession, or Canadian Province in which the delivery took place.

(3) **What happens if an invoice is lost or destroyed?** If an invoice is lost or destroyed, the seller shall issue a duplicate or copy containing all information that appeared on the original invoice. The copies shall be plainly marked "copy" or "duplicate."

(4) **What happens if an incorrect invoice is issued to the purchaser?** The seller must retrieve the incorrect invoice and issue a corrected invoice to the purchaser.

[Statutory Authority: RCW 82.42.100. 01-08-083, § 308-78-075, filed 4/4/01, effective 5/5/01.]

WAC 308-78-080 Refunds. (1) What do I have to do to claim a refund for aircraft fuel? In order to claim a refund for aircraft fuel tax, you shall file a claim upon forms provided by the department in the same manner and under the same conditions as provided for refund of motor vehicle fuel in RCW 82.36.310.

(2) **Is there a time limit to claim an aircraft fuel tax refund?** Yes, claims for refund may not be filed later than thirteen months from the date of purchase of such aircraft fuel under the same conditions as provided for motor vehicle fuel in RCW 82.36.330.

(3) **Can the department verify the validity of refund claims?** Yes, the department may examine the books and records of the claimant in order to establish the validity of any claim for refund under the same conditions as provided for motor vehicle fuel in RCW 82.36.340.

[Statutory Authority: RCW 82.42.100. 01-08-083, § 308-78-080, filed 4/4/01, effective 5/5/01. Statutory Authority: RCW 88.42.040. 99-19-097, § 308-78-080, filed 9/20/99, effective 10/21/99; 85-04-027 (Order PFT 85-001), § 308-78-080, filed 1/31/85; 82-20-093 (Order MV 696), § 308-78-080, filed 10/6/82; Order 69-10-2, § 308-78-080, filed 10/29/69; Rule G, filed 9/12/67; Emergency Rule G, filed 7/21/67.]

WAC 308-78-090 Mitigation of penalties and/or interest. (1) Under what circumstances may fee, a penalty and/or interest be mitigated? The department may mitigate, extinguish and/or adjust fees, penalties, and/or interest arising from late or missing fuel tax returns, unpaid or underpaid taxes, lack of complete records, license revocation penalties and assessments.

(2) **How will the department determine whether fees, penalties and/or interest will be mitigated?** The department will review records, account history or other information in arriving at its decision.

(3) **What happens if I do not pay my tax assessment on time?** You will be assessed additional penalties and/or interest.

[Statutory Authority: RCW 82.42.100. 01-08-083, § 308-78-090, filed 4/4/01, effective 5/5/01. Statutory Authority: RCW 88.42.040. 99-19-097, § 308-78-090, filed 9/20/99, effective 10/21/99. Statutory Authority: RCW 82.42.040 and 82.42.100. 92-01-015, § 308-78-090, filed 12/6/91, effective 1/6/92.]

WAC 308-78-100 Dishonored checks. (1) What will happen if my check becomes dishonored? A dishonored check represents failure to pay aircraft fuel taxes, fees and/or penalties and interest when due, and the department will enforce such aircraft fuel licensing and taxing laws as are

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necessary to recover the unpaid taxes and fees when they become due and payable.

(2) **What form of payment does the department require for dishonored checks?** Any registrant who tenders a check that is subsequently dishonored by a financial institution upon which it was drawn, may be required to tender all subsequent payments in certified funds, i.e., cash, cashier's check, certified check, traveler's check, official check, or money order.

(3) **Are there any additional fees charged for a dishonored check (DHC)?** Yes, a handling fee shall be assessed by the department for each check dishonored by the financial institution.

[Statutory Authority: RCW 46.01.110, 82.36.435, 82.38.260, 82.42.040, 46.87.010(2), 00-08-032, § 308-78-100, filed 3/28/00, effective 4/28/00.]

Chapter 308-80 WAC TRANSPORTERS

WAC

308-80-010	Transporters.
308-80-015	Expiration of motor vehicle transporter license.
308-80-020	Improper use of transporter license plates.

WAC 308-80-010 Transporters. (1) The term "transporter" applies only to those engaged in the business of delivering vehicles, not owned by said transporter, by driveaway or towaway methods and does not apply to motor freight carriers licensed under chapter 81.80 RCW to haul vehicles on trailers or semitrailers.

(2) The special license plates issued authorize driving or towing unlicensed vehicles in lieu of a temporary permit or license plates required under chapter 46.16 RCW.

(3) The special license plates issued shall be displayed as follows:

(a) On driveaway vehicles a front and rear plate of a set with the same number and letter suffix.

(b) On tractor and semitrailer or trailer combination, one of a set on the front of the towing unit and the other half of a set with the same suffix letter on the rear of the semitrailer or trailer being delivered.

(c) When using a tow bar saddlemount, fullmount or lawful combination thereof: One of a set of plates on the front of the towing unit and one of a set of plates on the rear of each vehicle following.

[Order MV 447, § 308-80-010, filed 9/16/77; § 23, filed 11/5/63; § 23, filed 3/23/60.]

WAC 308-80-015 Expiration of motor vehicle transporter license. When does my transporter license expire?

(1) A motor vehicle transporter license shall expire twelve consecutive months from the date of issuance.

(2) Motor vehicle transporter license plates shall expire on the same date as the license expires.

[Statutory Authority: RCW 46.76.070, 00-13-018, § 308-80-015, filed 6/12/00, effective 7/13/00. Statutory Authority: 1985 c 109 §§ 2, 4, 6 and 8, RCW 46.80.140, 46.70.080 [46.79.080], 46.70.160, 46.76.070 and 46.16.225, 86-08-028 (Order DLR-091), § 308-80-015, filed 3/26/86.]

WAC 308-80-020 Improper use of transporter license plates. What are some improper uses of the transportation license plates? Issuance of transporter license plates under chapter 46.76 RCW does not authorize driving

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or towing of vehicles on the public highways for the following purposes or in the following manner:

(1) On any vehicle in which a licensee has an ownership or equitable interest, provided a towing unit owned by a licensee to deliver vehicles owned by others shall display a transporter plate in addition to a regular plate for the purpose of identification.

(2) For personal transportation.

(3) By any one other than the licensee or a bona fide employee who is carried on the licensee's payroll records.

(4) Failure to display plates as required under WAC 308-80-010.

This rule shall not be construed to prevent a determination that other uses of such plates are improper.

[Statutory Authority: RCW 46.76.070, 00-13-018, § 308-80-020, filed 6/12/00, effective 7/13/00; Order MV 447, § 308-80-020, filed 9/16/77.]

Chapter 308-87 WAC LIMOUSINE CARRIER BUSINESSES

WAC

308-87-010	Definitions.
308-87-020	Limousine carrier business liability and property damage insurance.
308-87-030	Nonresident.
308-87-040	Applications/vehicle certificates.
308-87-050	Licenses.
308-87-060	Fees.
308-87-070	Special needs vehicles and certificates.
308-87-080	Chauffeurs.

WAC 308-87-010 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Limousine" means a category of for hire, chauffeur-driven, unmetered, unmarked luxury motor vehicles that meet one of the following definitions:

(a) "Stretch limousine" means an automobile with a seating capacity of not more than twelve passengers behind the driver, and a maximum wheelbase of 285 inches. The wheelbase has been factory or otherwise altered beyond the original manufacturer's specifications and meets standards of the United States Department of Transportation. The automobile is equipped with amenities in the rear seating area not normally found in passenger cars. These amenities may include, but are not limited to, a television, musical sound system, telephone, ice storage, power-operated dividers, or additional interior lighting. Rear tailgates or hatches are not to be used as a primary door for loading or unloading passengers. The term "stretch limousine" excludes trucks, auto transportation companies, excursion buses, charter buses, minibuses, vehicles regulated under chapter 81.66 RCW, taxicabs, executive sedans, executive sport utility vehicles, stretch sport utility vehicles, funeral home vehicles, station wagons, executive vans, vans, minivans, and courtesy vans.

(b) "Executive sedan" means a four-door sedan automobile having a seating capacity of not more than three passengers behind the driver and a minimum wheelbase of 114.5 inches. An executive sedan is equipped with standard factory amenities, and the wheelbase may not be altered. The term "executive sedan" excludes trucks, auto transportation companies, excursion buses, minibuses, charter buses, vehicles regulated under chapter 81.66 RCW, taxicabs, stretch limousines, executive sport utility vehicles, stretch sport utility

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vehicles, funeral home vehicles, station wagons, executive vans, vans, minivans, and courtesy vans.

(c) "Executive van" means a van, minivan, or minibus having a seating capacity of not less than seven passengers and not more than fourteen passengers behind the driver. The term "executive van" excludes trucks, auto transportation companies, excursion buses, charter buses, vehicles regulated under chapter 81.66 RCW, taxicabs, stretch limousines, executive sedans, executive sport utility vehicles, stretch sport utility vehicles, funeral home vehicles, station wagons, and courtesy vans.

(d) "Classic car" means a fine or distinctive, American or foreign automobile that is thirty years old or older.

(e) "Executive sport utility vehicle" means an automobile with a seating capacity of not less than three passengers and not more than six passengers behind the driver, and a minimum wheelbase of 116 inches that has not been altered. Rear tailgates or hatches are not to be used as a primary door for loading or unloading passengers. The term "executive sport utility vehicle" excludes trucks, auto transportation companies, excursion buses, minibuses, charter buses, vehicles regulated under chapter 81.66 RCW, taxicabs, stretch limousines, executive sedans, stretch sport utility vehicles, funeral home vehicles, station wagons, executive vans, vans, minivans, and courtesy vans.

(f) "Stretch sport utility vehicle" means an automobile with a seating capacity of not more than fourteen passengers behind the driver or a total of fifteen occupants including the driver and a maximum wheelbase of 325 inches that has been factory or otherwise altered beyond the original manufacturer's specifications and meets standards of the United States Department of Transportation. The automobile is equipped with amenities in the rear seating area not normally found in passenger cars. These amenities may include, but are not limited to, a television, musical sound system, telephone, ice storage, power-operated dividers, or additional interior lighting. Rear tailgates or hatches are not to be used as a primary door for loading or unloading passengers. The term "stretch sport utility vehicle" excludes trucks, auto transportation companies, excursion buses, minibuses, charter buses, vehicles regulated under chapter 81.66 RCW, taxicabs, stretch limousines, executive sedans, executive sport utility vehicles, funeral home vehicles, station wagons, executive vans, vans, minivans, and courtesy vans.

(2) "Business owner" means operator or carrier as defined in chapter 46.72A RCW.

(3) "Person or persons" means an individual, a corporation, association, joint stock association, partnership, limited liability partnership or limited liability company, or their lessees, trustees, or receivers.

(4) "Public highway" includes every public street, road, or highway in this state.

(5) "Chauffeur" means any person with a valid Washington state driver's license and authorized to drive a limousine as defined in chapter 46.72A RCW.

(6) "Master license" as defined in chapter 19.02 RCW.

(7) "Vehicle certificate" is a limousine vehicle certificate issued by the department which must be carried in the limousine vehicle at all times. The vehicle certificate is not the vehicle registration.

(8) "Passenger capacity" may be determined using the information found on the label that is required by the United States Department of Transportation to be affixed to the vehicle pursuant to 49 CFR, parts 567 and 568. In absence of the label, a member of the Washington state patrol or the department of licensing may determine the passenger capacity upon visual inspection of the vehicle.

[Statutory Authority: RCW 46.04.274 and chapter 46.72A RCW. 06-21-005, § 308-87-010, filed 10/5/06, effective 11/1/06. Statutory Authority: 1996 c 87. 96-16-032, § 308-87-010, filed 8/1/96, effective 9/1/96.]

WAC 308-87-020 Limousine carrier business liability and property damage insurance. (1) Limousine carrier businesses are required to maintain liability and property damage insurance for each vehicle as noted below:

Type of Coverage	Minimum Coverage Amount
Bodily injuries to one person:	\$100,000.00
Bodily injuries to all persons injured in any one accident:	\$1,000,000.00
Loss or damage in any one accident to property of others:	\$50,000.00

(2) The bond or certificate of insurance must be submitted before a vehicle certificate may be issued, reissued, or renewed. The bond or the certificate of insurance shall include: (a) The name of the insured in the same manner as will appear on the master license; (b) inception and expiration dates of coverage; (c) the name of the insuring company; (d) the policy number; and (e) the year, make, and vehicle identification number of each vehicle operated or intended to be operated.

(3) The director may refuse any insurance policy submitted with one or more of the following conditions present: (a) Any policy containing a deductible clause for any amount deductible, unless the policy clearly states that all claims under the policy will be directly paid in full to the claimant including the deductible amount by the insurer; (b) any policy containing a clause restricting the insured's age in regard to insurance validity; and (c) any policy which is determined to be a "surplus line" policy, as described in RCW 48.15.040, with the office of the insurance commissioner.

(4) Cancellation: In the event of cancellation of the coverage noted on the policy, the insuring company shall serve a copy of such notice upon the director of the department of licensing which shall not be less than ten days prior to the date fixed in the notice as the date of termination of liability.

(5) All liability and property damage insurance policies issued to limousine carrier businesses shall carry a "uniform motor carrier bodily injury and property damage liability endorsement."

(6) Proof of insurance must be carried in the vehicle at all times.

[Statutory Authority: 1996 c 87. 96-16-032, § 308-87-020, filed 8/1/96, effective 9/1/96.]

WAC 308-87-030 Nonresident. A nonresident business owner of the limousine vehicle(s) is one whose place of residence state does not participate in a reciprocal agreement with Washington state. Nonresident business owners are subject to any and all requirements and restrictions which apply to the resident business owner. Nonresident insurance certificates will not be accepted with any limiting clause or state-

ment which may invalidate the coverage upon entrance into the state of Washington.

[Statutory Authority: 1996 c 87. 96-16-032, § 308-87-030, filed 8/1/96, effective 9/1/96.]

WAC 308-87-040 Applications/vehicle certificates.

(1) All applications for a limousine carrier business license shall be on a master application and accompanied by a filing fee as listed in WAC 308-87-060 and RCW 19.02.075.

(2) To acquire a vehicle certificate for each vehicle intended to be operated as a limousine, the limousine carrier business shall submit to the department, the vehicle registration, the bond or the certificate of insurance, the vehicle inspection report, and the fee as defined in WAC 308-87-060.

(a) The certificate will be issued in the name of the business owner. The bond or certificate of insurance and vehicle registration must be issued in the exact name of the business owner that will appear on the master license.

(b) The vehicle registration must have the use class recorded as "F/H."

(3) Remittances shall be made by any legal tender as authorized by the department.

[Statutory Authority: 1996 c 87. 96-16-032, § 308-87-040, filed 8/1/96, effective 9/1/96.]

WAC 308-87-050 Licenses. (1) The department will not issue a limousine carrier business license to any person who does not meet the requirements established in chapter 87, Laws of 1996 and chapter 308-87 WAC.

(2) A limousine carrier business license may not be leased, assigned, or otherwise transferred.

(3) The vehicle certificate must be renewed annually on or before the expiration date. No vehicle may continue to be operated as a limousine if its vehicle certificate has expired.

(4) The vehicle certificate renewal must include the vehicle inspection report and the bond or certificate of insurance.

(5) The limousine carrier business license must be renewed annually. No limousine carrier business owner may conduct business as a limousine carrier if the limousine carrier business license has expired.

(6) The department may cancel a limousine carrier business license issued under this chapter on any of the following grounds:

(a) Obtaining a limousine carrier business license by an application containing falsification or misrepresentation of any material information; or

(b) Failure of a business owner to complete the requirements for renewal of a limousine carrier business license and pay the business license renewal fees listed in WAC 308-87-060 and penalty fees listed in chapter 19.02 RCW within three calendar months after the license expiration date.

(7) The limousine carrier business owner whose limousine carrier business license was canceled may reapply for a limousine carrier business license if the reapplication is filed in the same manner required as for the original license.

[Statutory Authority: 1996 c 87. 96-16-032, § 308-87-050, filed 8/1/96, effective 9/1/96.]

WAC 308-87-060 Fees. The department, as authorized in chapter 87, Laws of 1996, shall charge and collect the following fees:

New limousine carrier business application	\$40.00
Limousine carrier business renewal	40.00
New vehicle certificate	25.00
Vehicle certificate renewal	25.00
Change of vehicle certificate	20.00
Duplicate vehicle certificate	20.00
Training course approval	25.00

[Statutory Authority: 1996 c 87. 96-16-032, § 308-87-060, filed 8/1/96, effective 9/1/96.]

WAC 308-87-070 Special needs vehicles and certificates. (1) The department will issue special needs vehicle certificates to limousine carrier businesses. This certificate authorizes the use of rented or leased vehicles not owned by the limousine business. A separate certificate is required for each rented or leased vehicle operated as a limousine. The special needs vehicle certificate may be acquired by a licensed limousine carrier business at any time, but will expire on the current expiration date of the limousine business license, or the expiration of the insurance policy granting coverage to rented or leased vehicles, whichever occurs first, regardless of the date on which the certificate was issued.

(2) To acquire a special needs vehicle certificate, the limousine carrier business shall submit to the department, proof of insurance to cover the rented or leased vehicle.

(3) The certificate will be issued in the exact name of the business owner that will appear on the master license.

(4) The fee for each special needs vehicle certificate will be the same as a new vehicle certificate listed in WAC 308-87-060 and will not be prorated regardless of the length of time the certificate is valid.

(5) The rented or leased vehicle which is operated as a limousine must meet the definition of a limousine as stated in chapter 87, Laws of 1996, be in such safe condition as to be able to pass the limousine vehicle inspection, and be covered by insurance equivalent to that outlined in WAC 308-87-020 for the period in which it is operated as a limousine.

(6) The vehicle rental or lease agreement must specify a rental or lease period of no more than 30 days.

(7) The original special needs vehicle certificate, a copy of the rental or lease agreement, and a copy of the document certifying insurance coverage for the vehicle must each be carried in the rented or leased vehicle while it is being operated as a limousine.

[Statutory Authority: 1996 c 87. 96-16-032, § 308-87-070, filed 8/1/96, effective 9/1/96.]

WAC 308-87-080 Chauffeurs. (1) Any person who is hired as a chauffeur either full time, part time, or in an intermittent hire capacity in Washington state on or after June 6, 1996 must meet the criteria listed in chapter 87, Laws of 1996.

(2) All persons who are currently hired as a chauffeur either full time, part time, or in an intermittent hire capacity in Washington state on June 5, 1996, but do not meet the criteria listed in chapter 87, Laws of 1996, have until December 31, 1996 to meet this criteria. Such persons must have met all requirements of chapter 87, Laws of 1996, in order to be qualified as a chauffeur on or after January 1, 1997.

[Statutory Authority: 1996 c 87. 96-16-032, § 308-87-080, filed 8/1/96, effective 9/1/96.]